REP. VERRENGIA (2OTH): Good morning everyone and welcome to the Thursday, March 7th Public Safety and Security Meeting. Before we get started I'm just going to defer to the Assistant Clerk to give us a safety message.

ASSISTANT CLERK: In the interest of safety I would like to -- I would like for you to note the location of and access to the exits in the hearing room. The two doors through which you entered the room and the emergency exits are marked with exit signs. In the event of an emergency, please walk quickly to the nearest exit. After exiting the room, go to your right and proceed to the main doors or follow the exit signs to one of the fire stairs. Please quickly exit the building and follow any instruction by the Capital Police. Do not delay and do not return unless and until you are advised it is safe to do so. In the event of a lockdown announcement, please remain in the hearing room and stay away from
the exit doors until an all-clear announcement is heard.

REP. VERRENGIA (20TH): Okay. Thank you for those comments. We'll get right into the public hearing. We're going to reserve the first hour for legislative and public officials and then after the hour we'll go back and forth. But given the size of the crowd today I think everything should go fairly smoothly. I'd first like to call up Senator Leone and Anthony Martino.

SENATOR LEONE (27TH): Thank you, Mr. Chairman and thank you for allowing Mr. Martino to come up with me so that we can speak on this Bill, and with that I'll just go quickly into this.

Good morning Senator Bradley, Representative Verrengia, and honorable members of the Public Safety and Security Committee. I'd like to thank you for the opportunity to testify in favor of proposed SB 871, AN ACT CONCERNING THE COLLECTION OF DELINQUENT TAXES AND CHILD SUPPORT FROM LOTTERY WINNINGS. This Bill was brought to my attention with -- by Mr. Martino here to explain what he saw an opportunity improve how lottery winnings are used and collected and then also disseminated especially in regards to delinquent taxes and child support for -- from lottery winnings. There's a current $5,000 threshold but that can be skirted by this -- by splitting the winnings sort to speak, and I will let Mr. Martino explain that; and by allowing us to lower the threshold, monies that should go towards those delinquent taxes or child support would be collected in a far more easier manner for those that are in desperate need of it.
So I wanted to thank the Committee for hearing this Bill and with your guidance and support, hopefully we can move this forward or figure out how to improve the current situation. And with that I would let Mr. Martino add his comments and expertise on this matter. Thank you.

ANTHONY MARTINO: Good morning Senator Bradley, Representative Verrengia and Honorable Members of the Public Safety and Security Committee. My name is Anthony Martino. Thank you for having me and allowing me this opportunity to speak on behalf of raised Bill -- raised Senate Bill No. 871. Just to elaborate a little bit briefly even though you probably don't need it on the -- on some of the prior history of this same concept.

Many years ago in a -- in -- my capacity as a judicial employee, which I am, for the record not testifying today as a judicial employee but as a Connecticut taxpayer. I suggested legislation that would allow the state of Connecticut to intercept lottery winnings to apply to child support balances. It passed I think in 2002. Years later we suggested the same mechanism under Representative Gerald Fox to apply to delinquent taxes. I believe it passed in 2011 or 12 and today we're suggesting the similar -- same mechanism but this time reducing the threshold that we -- the threshold from the $5,000 as Senator Leone indicated to something lower to allow for increased collections for not just child support balances, but delinquent taxes especially in today's difficult budgetary times. It probably seems like a win-win scenario for the taxpayer.

Currently as the Senator mentioned the threshold is $5000.00 and there is a reason for that. That
figure is the figure that Lottery Association created where anything -- any ticket beyond $5,000 has to be cashed only at the Lottery Headquarters. A database is checked at that time, and any tax delinquency or child support balance is paid first from the proceeds.

However, there are ways to circumvent that $5000.00 threshold, essentially by splitting a bet -- splitting your bet, which I've seen done again in my capacity as a -- as a judicial employee.

In speaking with those familiar with the system, they also agreed that the threshold should be lowered. The suggestion that we would making is that it be lowered sufficiently so that the four -- four high-tier claim centers around the state located one in New London, one in Norwalk, one in West Haven, one in Waterbury who have the same mechanism. They have the same database as does lottery headquarters to check to see if the winning ticket is owned by an obligor or someone who's delinquent on their taxes and they would then refer the -- that person to the Rocky Hill Lottery Headquarters. So not only would that recoup more money obviously for taxpayers would also for families owed child support. In addition would act as a defense against those who purposefully split their bet as those familiar with the system would admit word does get around. And as a split as you probably know is when someone bets 50 cents instead of -- 50 cents twice instead of a dollar, they can then win that same $5,000 in two $2,500 increments thereby defeating that existing $5,000 threshold and thereby circumventing the intercept.
So I don't think it would be that far of a stretch to have the four-lottery high-tier claim centers do the same work using the same mechanism because they have the same computer system as does Rocky Hill Lottery Headquarters. It would just again lower the threshold to you know, whatever the -- whatever would be deemed appropriate, but something to recoup additional funds for again, state taxpayers as well as families owed child support.

So thank you for your -- your time today and certainly if you have any --

REP. VERRENGIA (20TH): Thank you for your testimony. Are there any questions? Seeing none, thank you very much.

SENATOR LEONE (27TH): Thank you very much for your time, to the Committee members, we very much appreciate it and have a great day today. I know you have a lot on your plate as well. Thanks.

REP. VERRENGIA (20TH): Thanks. Next up Deputy Commissioner Petra -- Petra.

DEPUTY COMMISSIONER PETRA: Good morning Senator Bradley, Representative Verrengia, Representative Camillo, good to see you and distinguished members of the Public Safety and Security Committee. For the record I am Noel Petra, Deputy Commissioner of the Department of Administrative Services. I want to thank the Committee for raising our Annual Technical Modifications Bill. Raised House Bill 7144 makes various minor changes to statutes administered by the Office of the State Building Inspector and the Office of the State Fire Marshal.

This is very much very dry minutiae. I know you guys have copies. If you'd like me to read through
it I'm happy to do so. I can summarize it or you can just ask questions; it's completely up to you.

REP. VERRENGIA (20TH): I'm good with it. [Laughing] So if anyone would like additional information or ask any questions. I don't see any so I guess we're good.

DEPUTY COMMISSIONER PETRA: Thank you for your time.

REP. VERRENGIA (20TH): Thank you. Next up is Steven Hernandez. Okay. I don't see Mr. Hernandez so we'll go to the public list. Sergeant Robert Marra and Sergeant Todd Theil. Good morning and welcome.

SERGEANT ROBERT MARRA: Good morning. My name is Robert Marra and I'm joined here by Sergeant Todd Theil. We're from the Vernon Police Department. Members of the Public Safety and Security Committee, we would like to thank you for the opportunity to present testimony regarding Raised Bill 870 on behalf of the town of Vernon.

The Vernon Police Department is proud to be a leader in the use of drone technology for public safety purposes within the state of Connecticut. We partner, work collaboratively, and train with other police departments and risk-management agencies to develop policies and procedures that establish best practices for the use of drones. Our drone program has been called upon to search for missing persons, locate criminal suspects and to assist in the recovery of endangered people. Our program has assisted in high-risk -- high-risk arrests and search warrants and has been used to construct -- reconstruct motor vehicle accidents. We have worked with regional law enforcement agencies to provide
real-time data for incident commanders that has been used to assist with officer safety and support field operations. In addition, we have responded to calls from neighboring fire departments, animal control departments, regional dive teams, and the Connecticut State Police.

The FAA estimates that hobbyist and commercial drone fleets will grow to over 2.85 million aircraft and that there will be 301,000 licensed drone pilots by 2022. Drones are becoming mainstream in today’s society. For example, news stations utilize drone technology to obtain video of current events as they unfold. Utility companies use drones to inspect powerlines, pipelines, and support structures. Drones are used by the agricultural and advertising industries as well as by school systems and municipalities for educational purposes and to improve worker safety. Drone technology is evolving daily.

TODD THEIL: Sorry, pardon me. The FAA regulates the certification of drone pilots and has established rules that allow for the safe and efficient use of drone aircraft in the national airspace. The regulations set forth by the FAA for government and commercial use are specific and stringent, including where and when drones may fly. Exceptions to these regulations are made on a case-by-case basis through a formal waiver application process. This process requires a high level of justification for operational need and applicants must meet specific performance-based standards. Examples of federal waivers include flying drone aircraft at night and over non-participating groups of people. We believe that the use of drone technology is a beneficial tool to protect the
As written, we stand opposed to Raised Bill 870 because the regulatory requirements are overreaching, unduly burdensome, and counter-productive to the administration of daily police duties. In certain situations the proposed legislation may restrict our ability to save lives. Should this legislation move forward, we strongly recommend that a task force be formed to thoroughly evaluate and develop guidelines that give due consideration to both the beneficial uses of drone technology by law enforcement personnel as well as to the established policies and procedures already implemented by many police departments across the state of Connecticut. We thank you for your time. If you have any questions, we'd be glad to answer them.

REP. VERRENGIA (20TH): Thank you. Representative Fishbein.

REP. FISHBEIN (90TH): Thank you, Mr. Chairman and good morning gentleman. First of all thank you for your service and your -- your work in this area. And you know if a task force was created, would that be something that you gentleman would be interested in serving on?

ROBERT MARRA: Most definitely.

TODD THEIL: Would be honored to do it.

REP. FISHBEIN (90TH): And you know when I look through the -- the language that we have, one of the issues that pops up to me is the retention. You
know as you sit here today you know there's a retention period of five years here anticipated. What would be your position being out there in the field on a retention period? Is five years reasonable?

ROBERT MARRA: So it would -- it would most likely depend on the case-by-case situation. We do for documentation purposes for crime scenes and for photography, we do have a policy in place which goes on FOI requirements and we do keep them for a long period of time. I think five years is a little short, but.

TODD THEIL: Again, it depends on if it's involved in a criminal case that may -- may be involved and stay active for a longer period than that.

REP. FISHBEIN (90TH): Well I think the latest statute is that it would be a case that a warrant was not issued. So you're more than likely in the investigative stage or something like that you know and it's permissive. It says it may, but I know we've had this issue in my town with regard to LPR technology, you know, license plate readers. You know, and my chief has told me that a retention period of six months is unreasonable because they just don't have the infrastructure to do that kind of stuff. Now LPRs are used a lot more frequently than drones are.

ROBERT MARRA: Right.

REP. FISHBEIN (90TH): And that's why I just -- you know, as we tip into this I just you know, wanted to -- was interested in what you guys thought, so.

ROBERT MARRA: I can tell you that over the three years that I've been in charge of doing this, I have
about two terabytes of hard drive space of photography. So when it becomes more popular I think we're going to gain more file sizes and so that may be an issue after a while. I mean it is costly to keep that.

REP. FISHBEIN (90TH): Yeah, okay. All right. Thank you, Mr. Chairman.

REP. VERRENGIA (2OTH): Any other questions? Seeing none, thank you for your testimony.

ROBERT MARRA: Thank you.

TODD THEIL: Thank you.

REP. VERRENGIA (2OTH): Next up is Michael Martorelli.

MICHAEL MARTORELLI: Good afternoon distinguished members of the Public Safety Committee. For the record, my name is Michael Martorelli. I am a member of the Connecticut Association of Pawnbrokers. I am here today representing our members, many of which have multiple businesses employing hundreds throughout Connecticut.

Current law allows for cashing of a check under $1000 by a pawn broker until 2021. This allows the customer to leave the shop with cash instead of a check. After 2002 -- 2021 the customer can only leave with a check. Raised Bill No. 954 would remove language referring to a “sunset date” that was inserted into the statues in 2011 when comprehensive legislation was passed.

The legislation regulated the industries dealing with preowned merchandise whether it is secondhand goods or precious metals and stones. Our Association initiated this change in 2009 and worked
diligently with law enforcement agencies and other officials to construct regulations that were both workable in the real world and useful to law enforcement agencies alike. I have been in the pawn industry for over 25 years. In dealing with my customer base I have found that most are unbanked. It would be a detriment to those individuals to not be able to have access to cash instantly. Today, banks charge non-depositors a fee to cash checks. Also banking hours are not conducive to my clientele, most of whom work in local warehouses and factories and use the bus line for transportation. When conducting a transaction, they are looking for immediate cash payout whether it be for groceries, formula, rent, utility bills or any other reason. I feel it is in the best interest of our businesses and consumers to continue the way we operate today. This is why we seek to pursue this amendment to the statues.

The 2021 "sunset date" would cause the elimination of cash payouts, which again would create an economic burden upon our customers and we feel in no way helps the consumer, the pawnbroker or law enforcement. We strongly feel that the current regulations should continue without interruption. The higher standard of moral ethics we strive for and the relationships build with our local law enforcement along with our comprehensive record keeping system has helped reduce the threat and misuse of any other types of transactions from occurring through our businesses to a very small degree.
This Bill has been proposed several times over the last few years. One of the criticisms of the proposals in the past has been that the law creates a special class of people who can cash their own checks. We agree that this is an unfair practice. Our suggested language contained in SB 954 removes this provision. We support the change.

Finally, as an effort to find common ground with those that oppose this legislation, we have suggested lowering the cash payment threshold from 1000 to 500. We also support this change. Thank you for your time today. I will be happy to answer any questions.

REP. VERRENGIA (20TH): Representative Fishbein.

REP. FISHBEIN (90TH): Thank you, Mr. Chairman. Good morning, Mr. Martorelli.

MICHAEL MARTORELLI: Good morning.

REP. FISHBEIN (90TH): I just had a few questions.

MICHAEL MARTORELLI: Sure.

REP. FISHBEIN (90TH): Educate me. What kind of ID is needed to pawn an item?

MICHAEL MARTORELLI: It needs to be a State ID, Federal ID.

REP. FISHBEIN (90TH): Okay. That's -- those are the require -- that's all that's accepted under the -- in the industry.

MICHAEL MARTORELLI: Yeah, yeah anything that's issued by a government -- government agency.

REP. FISHBEIN (90TH): Okay. So a Majority Card would not?
MICHAEL MARTORELLI: Majority Card being, I'm sorry?

REP. FISHBEIN (90TH): Is a driver's -- it's not a driver's license, it's an identification card.

MICHAEL MARTORELLI: Any identification that's issued by a government agency.

REP. FISHBEIN (90TH): Okay. And then you notate the -- the number or something like that when you do the transaction?

MICHAEL MARTORELLI: So what we do to -- to give you an idea of the transaction; we actually scan that identification into our system, which we have. In case there's a situation with law enforcement, we can print out that identification and hand that over to the law enforcement agency. Also time, date, description of the items. In Meriden in particular we actually submit our daily records to our police department. We have until noon the following day. Our practice is to do it before we leave that night. So they have immediately -- we also do Wallingford, we do Berlin, we do Middletown, we do Southington and two state -- state policy agencies as well. And anybody who asks for it, we'll put them on our email train and submit it on a nightly basis to them.

REP. FISHBEIN (90TH): When you say you do those other towns; you have facilities in those towns?

MICHAEL MARTORELLI: I don't have facilities. I do it as a courtesy to those towns. I worked in Wallingford for many years. I know you're a Representative from Wallingford. They asked me, hey can you send our detective department your records. Absolutely. It's just getting --

REP. FISHBEIN (90TH): Oh, okay. So working --
MICHAEL MARTORELLI: It's just getting somebody's email address and forwarding it to them. What I like that Meriden does, we have to do it on a daily basis where most towns are weekly.

REP. FISHBEIN (90TH): And when you transmit that information electronically to the department, is there a photograph or something that's taken of the -- of the item or is it merely a written description?

MICHAEL MARTORELLI: So to the best of my knowledge the statute says, any -- any wearing apparel, jewelry or anything that does not have a serial number or a model number must have a photograph. It is not forwarded to those departments though. We keep them in house. The police department comes in; hey we need to see the photos or they call us up, can you email us the photos? We facilitate them with that. We have photos that go back to 2013.

REP. FISHBEIN (90TH): So like my mother's house was broken into --

MICHAEL MARTORELLI: I'm sorry to hear that.

REP. FISHBEIN (90TH): -- in the middle of the day, a lot of jewelry was stolen. She identified it to the police you know. If that -- if those items were brought to let's say your facility --

MICHAEL MARTORELLI: Sure.

REP. FISHBEIN (90TH): -- and at the end of the day you know, one -- let's say one of those items was brought.

MICHAEL MARTORELLI: Sure.
REP. FISHBEIN (90TH): How would the police department in Meriden let's say, be able to know without then going to your store asking to see a picture that this may have come from that particular break-in?

MICHAEL MARTORELLI: That's a question you'll have to ask -- I would say you probably have to ask law enforcement how they would know. Let's say it was a wedding band that had an inscription inside, it would be put into the description. At that point, if the crime was committed in Wallingford if that's where you mom lives; Wallingford again like I said, gets our records. They can go through our records. I mean it's -- it's an effort, and they can see that. Or they can come down and look at our pictures.

REP. FISHBEIN (90TH): Okay. Does your system allow for uploading the pictures when you send at the end of the day?

MICHAEL MARTORELLI: Not to my knowledge, I don't believe so, sir.

REP. FISHBEIN (90TH): And then there's different licenses that are involved here. There's the -- the Secondhand broker, the precious metal broker. Are there descript -- discrepancies between those license with regard to what we're talking about here for this Bill?

MICHAEL MARTORELLI: No, no.

REP. FISHBEIN (90TH): So they're all the same?

MICHAEL MARTORELLI: I believe pawn brokers are the only ones allowed to cash their own checks up to $1,000.
REP. FISHBEIN (90TH): Okay. So the precious stone licensee?

MICHAEL MARTORELLI: So under -- under being a pawn broker anything we buy, those licenses come under our license as well so that's something that we're allowed to do where other precious metal dealers are not allowed to do.

REP. FISHBEIN (90TH): Okay. And is that because they were allowed and that sunned already, or is that always been --

MICHAEL MARTORELLI: They never were allowed. We were the only ones allowed to.

REP. FISHBEIN (90TH): Okay. Thank you. Thank you, Mr. Chairman.

MICHAEL MARTORELLI: You're very welcome.

REP. VERRENGIA (2OTH): Any other questions? Seeing none, thank you for your testimony.

MICHAEL MARTORELLI: Thank you for your time today, gentleman. Have a nice day.

REP. VERRENGIA (2OTH): Next up is Eric Diagel.

ERIC DIAGEL: Good morning, sir. Good morning distinguished members of the Public Safety Committee and co-chairmen. My name is Eric Daigle. I'm an Attorney Principal at Daigle Law Group, a law firm established in Connecticut that specialized in law enforcement and security management and operations and we work all over the county. I'm here today on behalf of my security clients and the university to testify in support of House Bill 7242, THE ACT CONCERNING POLICE OFFICERS AT INDEPENDENT INSTITUTIONS OF HIGHER EDUCATION. And what I wanted
to clarify is I want to do this in three different ways if I may. And that is talk about the purpose, a little bit of legislative history and how we got here and also what the proposal entails.

The purpose in a very direct aspect is that this -- this bridges a void in the law as it applies to law enforcement authority in the state. As you're well aware that this state universities have law enforcement authority under state statute. And other law -- other universities show state statutes -- state statute 10a -- 10a-156b, covers all universities including community colleges where they can have law enforcement application and utilize sworn law enforcement officers on their campuses.

In the state other universities such as Yale, University of New Haven, they have law enforcement under provisions of 83-466 which allows the municipality to provide basically a pass-through provision from their police department to the university operating within their jurisdiction.

Some of the challenges that come for universities that are -- that are here behind this Bill is jurisdictional issues where the jurisdiction expands beyond one municipality into other municipalities. So no really -- no real difference than what we have with the universities -- the state universities. But because they are not state universities they are not covered under that Bill.

Also we -- in this state we have multiple statutes, 29-18 through 29-21, there's a total of seven statutes that give law enforcement authorities to different entities including Department of Revenue Services, Department of Consumer Protection, utility and transportation divisions, armored car operators
and even in the case of wartime 29-21 would allow special policeman to be used on war industry premises. Now the key is that 29 statutes obtained their authority through the Commissioner of the State Police. So basically in order to fall under a 29 statute you then follow under the oversight and overview of Department of DEFS with all post regulation applications and so in this state today MDC Police Department, Aquarian Police Department, Amtrak Police Department and some of our state entities; Department of Mental Health, they all get their -- sorry, they all get their authority. My time's up?

REP. VERRENGIA (20TH): You can continue.

ERIC DIAGEL: They all get my -- they all get their authority through the -- through the Commissioner of State Police. So here the law in front of you today is to allow universities if they choose, to make what we consider a hybrid police department and give them the authority to have law enforcement officers on their campuses. The benefit that is here with a hybrid department means first all universities may not choose to do this. Because it's going to require them to have, and as you know, that I'm going to be strict in the standards for my clients that they have to maintain the standards required by law to operate a police department. So it's cost -- it costs them resources, time and energy to training, to policies to procedures, to standards to equipment and so may not all may choose.

But here what we would allow is the departments that are willing to -- universities that are willing to encompass that cost for the purpose for protection of their communities, also the protection -- this
will ensure that there's some authority. And the benefit of authority is that we all can guarantee that the department will have the officers that meet the requirements of training, that will then be held to the constitutional standards afforded to protecting the community that they work in as any other law enforcement agency would. That is currently a void right now with private institutions or what we're calling your independent institutions of higher learning.

In 2016 we were here first before you because the Department of -- because the State Police and post wanted -- wanted higher standard requirements for training. We asked you at that point and again last year for more time to figure out how to develop this higher standard for training for armed officers. This responds -- this Act is a way to ensure that those that are working in the concept of law enforcement capacity have the authority, but also need to meet the required standards that are there. In this country 70 percent of all universities under Bureau of Justice Reporting are law enforcement entities so this is not a -- this is not a foreign concept; it's just filling a gap for these -- these individuals that fit in that scope. And it does allow the departments to -- to have better ability in their campuses, legal authority, professionalism, receive 911 calls from their students right to QU's -- right to any university's dispatch, provide classified intelligence bulletins and information direction to the department for the protection of the university students, and it will also improve retention. In a way we're looking at this, we'll have career paths for younger officers as they start
out at a university and may choose to then move on to other agencies as they get their experience.

So with this and with the support of the -- the areas that have the universities, we would ask your consideration. I'm willing to take any questions.

REP. VERRENGIA (20TH): Thank you. If this Bill were to pass, how -- how many institutions would be impacted in that? I'm familiar with two -- at least two.

ERIC DIAGEL: The total number that could?

REP. VERRENGIA (20TH): Yeah.

ERIC DIAGEL: I would have to -- there are 15 private institutions in totality in the state from what I'm advised. Currently I think there are -- I'm sorry? There are two that would be willing to use the resources to -- to -- to take these -- take this authority.

REP. VERRENGIA (20TH): And with the officers in this -- these departments, would they be POST certified?

ERIC DIAGEL: They would have to be POST certified. So they would come under the authority of -- they would get their authority from the Commissioner as do all 29-19 statutes. They would have to meet the requirements in order to get their authority and that would ensure that the licensing division in the State Police would monitor their ability to maintain that licensing as we do for all law enforcement in the state and if they did not meet their authority under POST then they would lose their ability to maintain their certification.
REP. VERRENGIA (20TH): Thank you. Are there any other questions? Representative Fishbein.

REP. FISHBEIN (90TH): Thank you, Mr. Chairman. Attorney Daigle, before you came down you should have told me you were coming down. I mean -- Mr. Chairman, Attorney Daigle and I went to law school together and we took trial practice together so --

ERIC DIAGEL: Yes, sir.

REP. FISHBEIN (90TH): It's nice to see you again. You know, it sounds like a great Bill. Can you just tell me, you know I ask this question a lot of times? What are the negatives? Are there any negatives?

ERIC DIAGEL: We have in preparation for today, Representative we have talked to all entities and I think even Paul Melanson -- Chief Paul Melanson will testify on behalf of the CPCA and in talking to the Commissioner's staff we don't see any negatives as long as the structures, and that's all we care about in bolt size, is that for the legal side there has to be as you know, there has to be important structures in place so they have to be defined as a police department, which means they have to meet recommended standards in the industry through POST, through the State Police and the -- and they would have to meet POST certification.

The negatives, I guess hypothetically I could say that the agencies that are currently in the towns where these universities would have the negatives, meaning they would lose some overtime working -- sending their officers to send overtime in -- on the university campuses because the -- because the universities would have their own police departments
and be able to handle their issues. I think that's more of a positive in today's day and age. I would assume based on the numbers we've looked at, that a university could be taxing on a department in some form, and having a police department there to handle it directly may be a win-win. So just trying to find a negative, I guess the only negative would be there would be a little less overtime in the areas where the department is.

REP. FISHBEIN (90TH): And ultimately it would end up with more POST certified law enforcement individuals being able to be employed?

ERIC DIAGEL: Yes, sir.

REP. FISHBEIN (90TH): Is a -- is a major positive in my mind, so.

ERIC DIAGEL: Yes, sir. And also in the world of community policing and the application that we have today, the benefit of having a university like any entity, having your own officer interacting with your own students and your own community ensures community policing officers coming in from the outside to respond for calls for service just because it's a call on their call list. There's a little less community interaction. Most of the universities have very strong -- that I deal with have very strong public safety departments that are already well involved in community aspects with their students. I think this would only enhance that trust in relationships between the university.

And I see this across the country because like I said -- like -- like I said, 70 percent of the universities -- private universities in this country have sworn police departments in their universities
because it is their community. It is their town and their entity.

REP. FISHBEIN (90TH): Well, thank you. Thank you, Mr. Chairman.

REP. VERRENGIA (20TH): Representative Hayes.

REP. HAYES (51ST): Thank you, Mr. Chairman. Good morning Mr. Daigle, it's always nice to see you.

ERIC DIAGEL: Good morning, Representative.

REP. HAYES (51ST): What would happen as far jurisdiction with the university or college police coming off of that into the town?

ERIC DIAGEL: So as the 29 statute and most statutes, you know in your former life there Representative as a police chief, the reality is 51- -- 54-1f in its application of jurisdiction every entity has a very structured jurisdiction when they have the authority in where they can do felony versus misdemeanor arrests. This would be no different than MDC property or even University of Connecticut law enforcement where their campus on -- in the city of Hartford, the campus would be the jurisdiction of the university police department. And off the campus, outside the campus would be the jurisdiction of the Hartford Police Department.

Same application in -- if we took Quinnipiac for example in North Haven and Hamden on -- on the grounds of the University that would -- they would have authority off the grounds of the university, the authority, the jurisdiction would be that of the department in that area.

REP. HAYES (51ST): Okay. And I would assume there would be some kind of opportunity for mutual aid
between the campuses and the local police departments outside the campus?

ERIC DIAGEL: Yes, in the -- especially here in Connecticut which we're well aware of, as you are sir, with small departments; memorandums of understanding and response, a small department is going to have limitations to their resources and we would require a request for our clients to -- to negotiate with the town memorandum of understanding as to resources; whether it's calling in investigative services or calling just more manpower for graduations or special events. That would allow the ability to have all of that structure. And like any other police department, if the responding officer in the university needed assistance and called for mutual aid, the mutual aid statutes of this -- of this state would cover that.

REP. HAYES (51ST): Okay. And I would also assume that there would be some joint training between the municipal department and the -- the universities or at least the -- the opportunity if they should take advantage of that?

ERIC DIAGEL: I -- I would strongly recommend that, Representative in the aspect of -- especially in the area where we've looked at a lot of this would be active shooter response, would be -- and -- and one of the things that we all know and why the universities years ago started to move to a armed security aspect initially was the ability to respond and protect the students and the faculty in case of an active shooter. We all -- all of us that have been in law enforcement know that -- that the training aspect is important because understanding the grounds, understanding the buildings and we
would strongly encourage -- and I'll tell you, it's not a we will because it's already done. The municipalities in university settings should be working hand in hand with their departments -- with their colleges and universities to understand the buildings, the grounds, egress, the ingress, the medical needs, all -- all the resources so that if unfortunately that ever happens our response would be more effective to -- to end that.

REP. HAYES (51ST): And you know, I've seen this for 33 years from -- from your point of view in the chair that you're sitting in.

ERIC DIAGEL: Yes, sir.

REP. HAYES (51ST): And -- and I have to say I see nothing here but positives. The idea of having a trained police department on a university that knows its students and knows its buildings should something happen, and when you compound that with the idea of being able to have mutually come in from the -- the town that the university's in. So you've got double the amount of officers that would have been there had this police department not been there to begin with. I think -- I think it's a great thing and I see nothing but positives come out of this and I thank you for your testimony.

ERIC DIAGEL: Thank you for your support, Representative.

REP. VERRENGIA (20TH): Recognize Senator Cassano.
Welcome back, sir.

SENATOR CASSANO (4TH): Thank you, Mr. Chairman. It's great to be here. My question follows up your line of questioning actually. It's interesting over the last few years if you look, you know all of our
departments generally are certified. We've made changes in higher education for POST certification and so on. We've seen a tremendous effort where law enforcement is the same thing that the other parts of government are doing. By that I mean we're doing a lot through the cost, through the regions, back -- back room savings, all these other kinds of things trying to do things together and cross training and so on and now we're starting to see that as well with the departments.

But I'm wondering how far out -- if we're going out far enough to include those that are in fact certified POST trained. What I mean by that is, we all know what happened at Anheuser Busch as an example. Through the cross training and the monthly meetings and so on, it was magnificent how they responded and -- and kept deaths down because of that amount of training. But that was the local police departments of the region. If we have certified POST trained members of MCC and other places like that and that's throughout the state.

ERIC DIAGEL: Yes, sir.

SENATOR CASSANO (4TH): I'm wondering they're part of the cross training. We -- maximizing the use of places like the universities or others where they are getting trained but they're getting trained to do their job on their campus or wherever they might be, and they probably -- I don't know of too many that are doing much beyond that. And if that's even feasible or even a possibility but the more people obviously that are available, particularly in some of the major disasters we talk about; it would be good to have them included and I think we looked and tend to look to our State Police and our local
departments and so on and we don't go that next step. And I don't know how we do that but it would be interesting to see how many more people could be available as part of that partnership. Cause I don't believe that we really look at -- that MCC or Yale or -- or UConn or their departments, you know a lot of the things unless they're campus related incidents.

ERIC DIAGEL: Well sir, there's a little outside the scope but just in my experience and your members know, the training of these departments are -- significantly impacts the liability applications that these agencies have. I will -- I will tell you that the benefit of the state of Connecticut is that we have a very good working relationship between the departments under the -- the guys of the Connecticut Chief of Police Association, under the guys of the -- the State Police and POST application. There is a lot -- in my experience, and I work all over the country, the benefit that this state has is because we're so tight, so close and we have to rely on each other for numbers, there is a lot of cross training and application that occurs. And while there can always be more, I do agree with that; the universities understand the liability and seriously take into effect the risk and the threat to their students and their community and do all they can to open the doors to outside law enforcement entities to ensure they understand how to get around the university where the -- where the critical infrastructure points are, where the -- where the incident command center will be and how that will work.
And we also integrate fire and EMS and Homeland Security in law enforcement because -- because of our state and the way our state is set up we have the ability to utilize all resources in a timely manner, different than states that are spread out hours and hours a department. So while the -- society doesn't see a lot of that because it's the daily grind of the training aspect, I have seen a lot of that. It can always be more but I am confident that the open discussions between even the smallest entities to the largest entities are a continued integration.

SENATOR CASSANO (4TH): And I would agree 100 percent with what you said. My question again here is that if you take the university, we saw what happened at MCC and we've seen in all over where --

ERIC DIAGEL: Yes, sir.

SENATOR CASSANO (4TH): -- society has come together and done their thing and we haven't gone to some of those forces to help the municipality to reverse that. And -- and that's what I'm concerned -- you know, are we doing it on a two-way street or are we focusing on the cities and the towns and the state police and so on to be -- to be the system itself. Does it go two ways or does it go one way?

ERIC DIAGEL: It does go two ways but one way is not as fluid as the first way. Because when you pull -- when you -- when we activate what we call a mutual aid application, meaning there is an incident that needs resources, the chiefs and the state police in the entities work together to funnel their resources quickly into the area. Prior training, prior knowledge, prior discussions, prior memorandum of understanding make those things work effectively.
And so there is slow coming out; meaning they do have the meetings, the discussions and for example, my firm hosted a statewide crowd control tabletop exercise.

And the reason for that was to have a discussion of our strengths and weaknesses in the state. So I am confident that our universities who care and care deeply about their constituents, about their community, about the students and -- that they have their -- are working with any available entity to ensure a quick and fundamentally sound response to any incident that may occur. And I think they have. It's -- it's -- in a world of legal liability that we're in, that is the obligation that they're faced with.

SENATOR CASSANO (4TH):  Appreciate that, thank you.

ERIC DIAGEL:  Thank you, Senator.

REP. VERRENGIA (20TH):  Thank you. Representative Paolillo.

REP. PAOLILLO (97TH):  Thank you, Mr. Chairman.
Good -- good afternoon Attorney.  How are you today?

ERIC DIAGEL:  Good afternoon.

REP. PAOLILLO (97TH):  Thank you for your testimony.  If you can just touch upon what the universities -- you mentioned two universities, what they're currently doing.  Do they have security forces in place now?  What is their public safety plan or what are their resources on campus currently?

ERIC DIAGEL:  Sure.  I'll utilize my client, Quinnipiac University as -- as the -- I know Sacred Heart is here and they are -- they are the other entity that is interested.  Quinnipiac University I
started with them I want to say about four or five years ago when we moved from a security force without weapons to an armed security force. And -- and one of the things that we see with the resources available in university is that universities take that very seriously. The liability, the -- the standards, the -- the structure and so methodically we built a process to not just -- it doesn't take much to go get a security official armed with a blue card in the state of Connecticut but that wasn't enough. It was necessary to build a training standard that every officer would have to go through whether they were carrying or not carrying, understanding the law, the liability, the decision making the application, having policies and procedures in place to guide the officers as we do in the law enforcement setting so if they follow them they would have discipline up to and including termination in that application.

Quinnipiac has worked very diligently to move forward building a significant training program. They -- they hired a well-known firm that specializes in university safety to come in and do a -- an assessment of the university for public safety mechanisms. The firm came back and said we recommend you going to a law enforcement setting. The university through its -- through its Chief Edgar Rodriguez went out and visited with other universities, Villanova and other universities in and out of state to see what structures they had set up, how they were operating. And so other -- in a university or a corporate entity, but I think even more in a university, there is a very methodical process because they recognize the next step is when authority would be given. Now you have to continue
with that process to sit -- to put in place the policies, the procedures, the training, the structure, the oversight in order to limit liability and also be successful, and most importantly ensure the protection of the Constitutional rights of the community that they're serving.

REP. PAOLILLO (97TH): Can you just give us an idea, you mentioned Quinnipiac, about the amount of calls per service that they may respond to on an annual basis?

ERIC DIAGEL: I believe I --

REP. PAOLILLO (97TH): Under current --

ERIC DIAGEL: If you wouldn't mind, I'd be happy to call Chief Rodriguez and let him give you the specific details?

REP. VERRENGIA (20TH): Yes, just please identify yourself.

EDGAR RODRIGUEZ: Good morning, or good afternoon distinguished guests. My name is Eddie Rodriguez. I am the Associate VP Chief of Public Safety for Quinnipiac University. And to answer your questions, last year we had 62,000 calls for service at the university. That includes from an assault to a complaint to a disturbance. Every time we get a call at the university we have a sophisticated Nextgen reporting system where we punch a number. So last year we had 62,000 calls for service and that can be any -- any call that came through, not necessarily a crime or a significant incident, but anything minor such as an escort, so forth and so on.
REP. PAOLILLO (97TH): So of the 62,000 your own force is responding or does the municipality and in North Haven, is there interface there?

EDGAR RODRIGUEZ: Yeah. So -- just so we're clear, we have a great relationship with Hamden and North Haven Police Department. We handle most of the calls depending on the nature of the call. If there's a significant criminal investigation then we call the Hamden Police Department. We respond to all our medical calls. We are first responders as far as medical is concerned. Then once we get there we will dispatch Hamden for an ambulance. So those calls are all documented and we work hand-in-hand with the Hamden Police Department and North Haven.

REP. PAOLILLO (97TH): So just so I understand Counselor, this would replace -- if this legislation moved forward, this would replace what's currently the Public Safety Department now. You mentioned Yale before. Yale I believe still has a security force to compliment their police department or their security folks so this would just be a permanent police department on the campus and it wouldn't --

EDGAR RODRIGUEZ: No -- I'm sorry Representative. No just for clarification, there's no replacement here and that's key to this. So for example Yale University has a police department and a security that makes up their public safety because obviously they need more bodies than just police officers for the escorts, the students and all that.

What we're -- what we would see -- what I would recommend in most the universities would be some aspect of a hybrid department so it would be a police department and public safety department like Yale would have where you would have a number of
sworn officers per shift; one or two to work for the criminal aspects, to handle the criminal complaints. But you would still have a full staff of security officers, some armed, some not armed doing different tasks within the community and that -- that entity would make up what we -- what we classify here as a hybrid department. And for the purposes -- and you'll find that in most universities around the country. Whether -- whether it's individuals working the security at the door versus calls for criminal complaints versus medical calls, they'd be dispatched to different -- different individuals with different levels of authority.

REP. PAOILLO (97TH): Thank you for that clarification and explanation and as you talk about the interface and the Chief coming from New Haven and being involved locally for about 18 years before coming here, seeing many of the officers -- professional officers that have retired from New Haven and have gone on to a department like Quinnipiac University now under your current setup so I commend the way you put the model in place now and see the professionalism from the folks that have served our residents for so long.

Which leads me to my last question from the university side. Is there a pilot agreement in place? I know there is one between the university and the municipality; I think at least one municipality. How does that affect this? Your having a pilot in place or some arrangement in place for services that maybe you couldn't provide or don't provide currently as a university. Those relationships still continue. Is -- is that the intent here, or is that the thought?
EDGAR RODRIGUEZ: Yeah the intention is to continue to work together and we'll develop some type of an MOU between us, not only the Hamden Police Department but also North Haven Police Department. I have spoken with both Chiefs of both departments and they're willing to you know, to sit down and draft this MOU whenever we're ready to transition over. But they will always be around and like I said, mutual aid and we will always need their assistance so we're looking forward to continuing to work with both agencies.

ERIC DIAGLE: If I can -- I think that goes both ways too because when the town of Hamden you know, the students don't say on the campus and so they're not only as you know, in Hamden but also New Haven and they're out and about on a Friday and Saturday night and this gives the ability for those agencies to call the university agency too for assistance, for identification, for -- for any of the issues involving their students which they do now as a security force. That might give them -- it will give them more authority for assistance as a -- as a law enforcement agent if there's criminal aspects; a fight, narcotics, drunk driving, something like that aspect that might appear.

EDGAR RODRIGUEZ: And I just want to make just one more comment. As we speak right now, we do have training together with both agencies. We train a lot, especially active shooter training, and we already have an MOU in place with the Hamden Police Department where we respond to community concerns within the neighborhood so when they get a community concern complaint, we respond together with the Hamden Police Department to address those issues.
REP. PAOLILLO (97TH): Counselors, thank you and Chief, thank you. Thank for your clear testimony today and certainly something I'm in favor of so thank you.

EDGAR RODRIGUEZ: Thank you. Thank you for your support, Representative.

REP. VERRENGIA (20TH): And then just maybe by way of comment, honestly I'm not familiar with the campus police that have security, armed security and now a police department. I'm not sure how that works. I'm not sure of the value of having armed security knowing that you have an armed police force; and I'm just thinking in the event that you know, there was an incident on campus and you have two armed individuals, whether it be a police officers or a security officer responding to a situation like that. I'm certainly aware of POST training and requirements, use of force, etc. Not so familiar with armed security and how that works.

But again I'm not sure there's a question in there but maybe something I can --

ERIC DIAGLE: Well for your clarification, Representative is that -- you know the -- the blue on blue concern, the cross -- the areas where -- you know here the important part is there is interaction and we have had -- we do -- Fairfield University has been armed for years. Quinnipiac being armed for five years. And the University of Hartford being armed. A couple of things that are important there is we do encourage interaction between the departments for knowledge as you know from West -- your former days in West Hartford and University of Hartford, knowing each other and also here, everybody is uniformed. So that is an important
part of those problems where it's -- it's more
dangerous not being structured in an active shooter
response when there's self-dispatching, off-duty
officers are running into an area with visible
weapons. Those are where the concerns come.

Here we try to maintain structure in the application
of everybody has a uniform, people know each other
from cross training together and there is clear
command and control as you would expect in an
incident command setting of whose in charge and
whose guiding the operation to try to limit those --
those theories. And even as, as the Representative
said, even at Anheuser Busch last week -- six weeks
ago, we see those problems because all the officers
are running to the area to assist to get people out
of there. We are now in 2019, well trained on those
issues and make our officers through POST training
well aware.

This would -- this would allow us to take those
university police officers and they would now have
access to POST training, which they don't have
access to right now. So they would then be able to
participate in that training and I what I think the
benefit to everybody is, we ensure consistency in
the operations and that would benefit everybody in
the community to respond to that situation.

REP. VERRENGIA (2OTH): Right. And because you know
if this passes and you create a law enforcement
police, certified POST, I mean it comes with that;
I'm not sure why -- why -- why you wouldn't want to
get away from the armed security, that's all I'm
saying.

ERIC DIAGLE: Well unfortunately I will tell you
that it really comes down to the university's
lawyers evaluating the liability applications. There is a big difference between being a security division under Connecticut -- Connecticut General Statutes versus being a sworn law enforcement under Federal -- Federal litigation -- 1983 litigation. There could be some significant liability issues if you don't do it correctly and your officers are alleged to violate someone's Constitutional rights. So some universities I will -- I will ensure you that there will be a number of universities in the states whose lawyers will do the analysis and say, we don't want any part of that. We're going to say as an armed security because of their liability. They don't have the resources to do it correctly. It's not something you can do lightly. You have to take it very seriously.

REP. VERRENGIA (20TH): Good enough. Any other questions? Seeing none, thank you for your testimony and Mr. Rodriguez, you're up next. I don't know if there's any -- if you wanted to add anything additional?

EDGAR RODRIGUEZ: No, I think I'm good unless you have any other questions.

REP. VERRENGIA (20TH): Nope. Okay, we're good. Thank you very much.

EDGAR RODRIGUEZ: Thank you. Thank you for your time.

REP. VERRENGIA (20TH): De'Shawn Wright.

DE'SHAWN WRIGHT: Good Chairman -- Co-Chairman Bradley and Verrengia, Ranking Members Hwang and distinguished members of the Public Safety and Security Committee. My name is De’Shawn Wright and I am a Senior Policy Manager with Uber Technologies.
I thank the Committee for hearing my testimony today on House Bill 7243 concerning transportation network companies, safety and security policies.

Rasier, LLC, a wholly-owned indirect subsidiary of Uber Technologies holds a transportation network company permit in Connecticut. Rasier licenses a smartphone application that includes both a rider and driver application known as the Uber App. Uber sets the world in motion through state-of-the-art technology to instantly connect riders and drivers.

Safety is a top priority for Uber, and we support efforts to increase rider and driver safety across our platform. As a technology company, Uber has looked to emerging technology for safety focused advances in both the rider and driver versions of the app. In 2018 we announced a $64 million commitment to create a dedicated safety engineering center. The office will be home base for 150 engineers, focusing primarily on safety.

Many safety features are already available to riders and drivers within the App’s Safety Toolkit. The Safety Toolkit provides riders with information about how drivers are screened, a way to directly contact 911 in case of an accident or anytime a rider feels unsafe, and a way to designate up to five trusted contacts with whom a rider can quickly and easily share their location when taking a ride. These same safety functions are also available for drivers.

We recently announced Ride Check a program that can check on riders and drivers in the event of a crash. This technology has the potential to identify trip irregularities beyond crashes that might in some rare cases indicate an increased safety risk. For
example, if there is a long, unexpected stop during a trip, both the rider and the driver will receive a Ride Check notification to ask if everything is okay. They can let us know through the app that all is well, or take other actions like using the emergency button or reporting the issue to Uber. We expect to expand this technology to additional scenarios in the future.

We also have a dedicated team called LERT, The Law Enforcement Response Team that is capable of providing law enforcement officials with the necessary information and support to aid ongoing investigations. This team operates 24 hours a day, seven days a week and is available online at www.lert.uber.com. In addition to providing responses to standard law enforcement data requests, this team has the ability to rapidly respond to authorities in emergency situations.

In such situations we want our riders and drivers to be speaking directly with emergency personnel as opposed to call operators. That is why we’re teaming up with RapidSOS to share key information with emergency dispatchers directly. When a rider or driver calls 911 using the emergency button in the Uber app, the emergency dispatchers will receive the vehicle’s location as well as the make, model, color and license plate number of the vehicle. This is already a reality in over 50 cities in the US, and we are looking to quickly expand.

We appreciate the Committee’s commitment to safety and want to work with you to ensure we’re taking appropriate actions to keep all parties safe, riders and drivers alike. However, House Bill 7243 as proposed fails to take into consideration the
presently available technology as well as future technological advances become available and can be implemented to support the efforts here in Connecticut. Looking forward, we also want to make sure we're partnering closely with other local entities such as the Police Chief Association to ensure we are more broadly spreading the word about our functions and features. Thank you for the opportunity to testify and I'm happy to answer your questions at this time.

REP. VERRENGIA (20TH): Thank you for your testimony. Are there any questions? Representative Fusco.

REP. FUSCO (81ST): Thank you, Mr. Chairman. A couple of questions through you if I may. This number that they're going to call, is this a statewide number or is this a nationwide number?

DE'SHAWN WRIGHT: The number that is proposed within the Bill?

REP. FUSCO (81ST): Yeah.

DE'SHAWN WRIGHT: The Bill I believe proposes a statewide number.

REP. FUSCO (81ST): Statewide? And it also provides that these calls will be immediately taken. What steps are you going to take to -- you know, how's that going to happen immediately? Expand on it if you can.

DE'SHAWN WRIGHT: Yeah, well the -- well the Bill requires a direct operator to be available 24/7. That is not what we are proposing. We are proposing that we continue to do it through the work that we've done through LERT in which case law
enforcement agencies all have access to the system. Clearly that is something that we have not done a great job of spreading the word about and so we'd love to work with you to do that. But they would be able to access that system immediately and the folks who are on the receiving end of that, who are monitoring it 24/7, will be able to distinguish between those that are just traditional data requests and those that require immediate attention and they'll be able to directly coordinate with law enforcement and share whatever we're legally able to do at that time.

REP. FUSCO (81ST): Okay. Thank you for that.

DE'SHAWN WRIGHT: Thank you.

REP. FUSCO (81ST): Thank you, Mr. Chair.

REP. VERRENGIA (20TH): I just have a few questions. Actually this Bill came out of a situation that I'm -- was made aware and long end short of it was an incident involving a young gentleman who was suicidal and who happened to get into an Uber ride and the parents tried to notify someone from Uber, went on the website. The website referred him to a number or leave an email. There was -- there was no opportunity for the parents to get in contact with anyone from Uber at a national level or emergency contact information and there was no way of getting in touch with the driver who -- who was -- who had a passenger in the vehicle who was suicidal.

You mention that police departments, there's a way for police departments to get in touch with a number or however they do that I'm still not clear, but the irony in this case it was a high-ranking police official who if anyone would have known, what number
to call; I believe it would be a Chief of Police of a town here in the state of Connecticut. So when you -- and I appreciate your comments when you say you failed to communicate that to Chiefs of Police, at least here in the state, it kind of rubs me the wrong way in that that safety is not a priority in this case because if it was, that message would have or should have been clearly expressed to every single police chief here in the state of Connecticut. So that's why we have this Bill in front of us. It's something that I think is very serious. Something that I certainly look forward to working with you and other -- other companies in this business, but safety is paramount to -- too -- as far as I'm concerned to all the passengers that get in any ride-sharing vehicle. And it's something that we'll continue to work on in and work through this Bill but again, I certainly appreciate your comments.

DE'SHAWN WRIGHT: Thank you, Chairman and you have my obligation that we'll work with you hand-in-hand that comes up with a solution that works for you.

REP. VERRENGIA (2OTH): Thank you, sir. Any other questions? Seeing none, thank you.

DE'SHAWN WRIGHT: Thank you.

REP. VERRENGIA (2OTH): Let's see. I believe Steven Hernandez is here.

STEVEN HERNANDEZ: Good afternoon Chairman, Ranking Members and esteemed members of the Public Safety Committee. I'm not often before you but you know, in the past few years now the Commission on Women, Children and Seniors together with the Commission and Equity and Opportunity have been working on ways
in which we can improve not only our relationship between the communities and public safety, but also access to mental health and access to -- to really diminishing the stigma I think that mental health access really comes with. Especially for people who are in service.

Now just last week -- and I bring this up because it so present in our minds, just last week on February 24, Jeremy Dewayne, a Corrections Officer at Corrigan and Radgowski Correctional Institution took his own life. Mr. Dewayne suffered from depression from constant work in a violent and often negative environment. He like may other officers was exposed to -- to fights and inmate suicides and it took a great toll on his mental and physical health.

For the third straight year more officers died by suicide than in the line of duty. According to Blue Health, nonprofit run by active and retired police officers, at least 159 officers took their own lives in 2018. The same number of suicides tracked in 2017 and 19 more than in 2016. Our sister state of Massachusetts has seen alarmingly high rates of suicide in their correctional officers with 19 officers that died by suicide between 2010 and 2015.

We ask a lot of the men and women who serve, not only in corrections and our police -- our police forces but anywhere where we do a very difficult job sometimes of keeping our community safe while interacting with our communities, forming those connections. It's important that the people upon whom we rely so much have access to parody and mental health and that the stigmas of accessing that mental health -- those mental health services really
be diminished. So I applaud you for your work and I thank you for your attention.

REP. VERRENGIA (2OTH): Questions? Seeing none, thank you, sir for your testimony.

STEVEN HERNANDEZ: Thank you.

REP. VERRENGIA (2OTH): Chief MacNamara.

CHIEF GARY MACNAMARA: Members of the Committee, thank you for hearing and taking some time to hear from us. With me is Michael Larobina. He is the -- first of all I should say I'm the Executive Director of Public Safety and Governmental Affairs at Sacred Heart University. With me today is Michael Larobina. He's the Counsel for Sacred Heart University and we're here in support of HB Bill 7242, which Attorney Daigle and others have already discussed in great detail. I'll turn it over to Attorney Larobina for some opening remarks.

MICHAEL LAROBINA: Good afternoon Mr. Chairman and members of the Public Safety Committee. Thank you for the opportunity to speak to you today. I am the Secretary and General Counsel of Sacred Heart University. I'm also the Chief Legal Officer. Prior to that I was the Director of Legal Affairs and Corporation Counsel for the City of Stanford and such, represented one of the largest municipal police departments in the state.

We're here in support of this Bill. We feel we have an obligation to provide as safe an environment as possible. And a college campus presents unique situations to do that unlike for instance, this building or an office building, there are no controlled access points. It's an open environment. The thing that concerns us most is an active
shooter. And what we know is that a police presence is a great deterrent to an active shooter. We also know that as soon as an active shooter is engaged with police, the threat is eliminated quickly and lives are saved.

Some questions that I heard before surrounded around certain things you can do to prevent this. We have worked with federal law enforcement very closely. There are limits as to the things you can do. You run up against limitations. We are at the point where we need to have a police presence on campus.

In addition to the concern about an active shooter, I'm often asked you know, what's the difference between representing a large municipality and the university, and the answer is not a lot. And what I've come to learn is that college campuses are like small municipalities. And many of the same issues that you encounter, you encounter in a university setting and that requires law enforcement. It's simply -- we've come to the point in our society where we need more law enforcement on campuses, not less.

To address some of the questions I've heard before, I see the Chairman has left but he raised the issue about would we maintain a proprietary guard service? Essentially that's what we have now under the statute, a proprietary guard service. Chief MacNamara can speak to that in more detail but yes, we would. We would move to a bifurcated system. But I could tell you from a risk litigation standpoint, I don't think I would be supportive of having nonsworn police officers. We would maintain that traditional guard service to do traditional guard service duties. But from a risk standpoint I
am only comfortable with sworn, trained police officers being armed.

SENATOR BRADLEY (23RD): Thank you, sir. That little buzzer indicates that that was time I believe. Is there any questions here from members of the Committee? Senator Hwang.

SENATOR HWANG (28TH): Thank you, Mr. Chair and welcome -- welcome to Hartford. Chief MacNamara, can you explain a little bit more in regards to the type of efficiencies that this Bill will provide for campus law enforcement to be able to provide safety to the campus but also the integration with the communities first responders and law enforcement officials. Thank you.

CHIEF GARY MACNAMARA: Thank you, Senator. So I should say that I am the retired Fairfield Police Chief. I retired in October, so I recognize the value of having an organized police department. The obligation in statute with regards to what we have to follow, what legislatures have put forth for police officers in the state of Connecticut to follow. Reporting requirements and all those other requirements that you want when someone is a police officer in the state of Connecticut.

I transitioned to Sacred Heart University and Sacred Heart University has a Public Safety Department that is unarmed. So we are currently a security force that -- that does not have the capability to address an issue should an issue arise with that capability, so we're in transition. Now we have two options to transition to. The first option which is under state statute, we can have our security officers become armed and that is an armed guard per say. That is very limited in the oversight and the
responsibilities. Or we have the option, which we believe this Bill will allow us to do, to have an armed sworn, members of the university. In other words an armed police force. And with that are all the obligations and requirements that any other sworn officer or police department has.

So that allows us -- without a sworn presence on campus, we have no access to criminal intelligence. We have no ability to interact with the FBI in certain secret or threat information that others can receive. I can't receive -- as a Police Chief, members of my department could receive threat assessments from CTIK. They could receive threat assessments from the FBI. When you are not sworn, you do not have access to that. You would be armed, but not sworn.

So what we're looking to do is become sworn to have that ability under threat assessment and I know -- I'm sure you're all aware of the fact that shortly after Sandy Hook 13-3 talks about the importance of threat assessment to mitigate threats before they happen. A really strong part of mitigating threats is to have the ability to know what those threats are and to share those threats with our companion municipalities. Having that sworn police department presence would allow us to do that and that's a really important missing component, if we just go to an armed guard service as opposed to being a sworn police department.

As you heard -- as you've heard before, Connecticut Police Chief's Association is in support of that. They want to ensure though that is a police department and that they are required to have post training like any other police officer has. What is
the benefit for that for the state of Connecticut? That means that if you change any regulations; and often times yearly you may change your regulation that all law enforcement is now required to do this. That means you don't have to go back and say, oh and by the way, do we have to address the guards that are at Sacred Heart University? No, those changes in the way service is delivered in the state of Connecticut through police service will automatically roll into that because we are under those same requirements.

SENATOR HWANG (28TH): Thank you. And based upon your background, you shared some of the logistics but also share with how important it is to be able to have this in the sharing of intelligence. You don't share that by current statute right now without this Bill, local town law enforcement cannot share that information if you don't have POST certified enforcement officials on campus. Share with how important it is on a prevention basis as well because ultimately it is all about prevention.

CHIEF GARY MACNAMARA: Yeah, sure. So give you one example. We have a -- say we have a report of a suspicious vehicle on campus, which is not as -- as Attorney Larobina indicated, it's an open campus. There's a suspicious -- report of a suspicious vehicle on campus. We would -- we don't have access to that information so we would call the Fairfield Police Department who could run that license plate and gain that information, however, they would not under law be able to share that information with us so this is certainly a gap only -- just given that example of the lack of sharing of information.
Now if we move forward where we're a sworn police department, we have a suspicious vehicle on campus, we can run that information, we can obtain that information, we can investigate as to why that individual was there and it allows us to put in the hands of those officers that are on a daily basis interacting on our campus to have all the information that they should have to mitigate those threats.

SENATOR HWANG (28TH): Thank you. In these very difficult budgetary times, there is no fiscal note on this. It is the cost that's formed by universities and their design and plan to have a more responsive and more effective law enforcement capacity on campus. Would that be correct?

CHIEF GARY MACNAMARA: Correct. There's no -- there would be no cost to municipality. It would all be worn by the -- by the universities that choose to do this. And we also -- keep an open mind that it was mentioned earlier about training -- active shooter training. When I was the Fairfield Police Chief we trained regularly with the state police on active shooter training and the idea behind that is that if we respond to an incident you know, in the Bridgeport line, if a Fairfield Police Officer gets to that scene first and the next officer in line is a Bridgeport Police Officer, which very well could happen, they are both trained in the same way to enter that building cause we know they're tactically going to enter that building to eliminate the threat. They are trained in the same way to do that. We can't have one officer doing this and another doing that.
This Bill allows members of Sacred Heart University, tragically if something were to occur, to have the exact identical training that the other responders to that incident would have occur.

SENATOR HWANG (28TH): Thank you very much. Thank you for your past service and I have to run to different meetings and all that and I notice my Newtown Police Chief, Chief Viadero, thank you for being here. I have all the questions -- thank you very much for your answers. Thank you, Mr. Chair.

SENATOR BRADLEY (23RD): Thank you, Senator. Representative Orange.

REP. ORANGE (48TH): Thank you, Mr. Chairman. Thank you for being here and explaining this to us. I think that in the past few conversations you've answered most of my questions. In order to operate your own police force you would need a dispatch, a lockup, a chain of command, POST training, and other varieties of issues to address. You would -- you would have to have the police cars; you would have to have the uniforms and it gets very expensive. I know the town of Colchester is a resident trooper program with a constabulary and we have since the 90s wanted to begin our own police force with our own police chief and some of these hang-ups kind of get in the way cause they're expensive. And since you are a private college, I think it's a good idea, don't get me wrong. I think this is a great idea but do you have -- does Sacred Heart have just one campus or are you multi-campus or are you going to be multi-campus?

CHIEF GARY MACNAMARA: So we have -- we have -- well we are -- we are in multiple jurisdictions. So we are in the town of Fairfield, the City of
Bridgeport. We have property in Milford and property in Orange and I've only been there since October so I believe we also have property upstate or in Stanford. Okay. See? I've only been there for a short period of time, but we should frankly. We have property in Ireland as well, I know that. So -- and to get back to your question, yes. We do have multiple properties that we are responsible for.

REP. ORANGE (48TH): And so do you have buildings on any of these properties?

CHIEF GARY MACNAMARA: We do. We have dorm -- dormitories in Bridgeport. We have a golf course in Milford that overlaps into Orange so there are -- there are structures on a lot of those properties, yes.

REP. ORANGE (48TH): So these officers would then be in charge of those areas as well?

CHIEF GARY MACNAMARA: Correct.

REP. ORANGE (48TH): How many people are you looking to hire?

CHIEF GARY MACNAMARA: You know we --

REP. ORANGE (48TH): How many people do you need for three shifts?

CHIEF GARY MACNAMARA: So I think what -- what has to -- what we have to understand is that police departments throughout the state that are organized, operate based upon the resources they have and based upon the needs of whatever community they service. While the town of Fairfield operates with this number of officers on this shift, a town like Easton operates on --
REP. ORANGE (48TH): No, I understand.

CHIEF GARY MACNAMARA: I understand. So I --

REP. ORANGE (48TH): What would be your total number?

CHIEF GARY MACNAMARA: So I think what we're looking to do; currently we have about 48 public safety officers that are unarmed so what we're looking to do is probably, depending upon the shift, we're looking at seven or eight officers initially. So that would be police officers. And I don't necessarily know whether we would go beyond that, but I think initially it's probably in the seven or eight realm.

REP. ORANGE (48TH): So then there wouldn't really be a structure, chain of command?

CHIEF GARY MACNAMARA: There absolutely would be a chain of command.

REP. ORANGE (48TH): With six people there would be a chain of command?

CHIEF GARY MACNAMARA: Sure, absolutely. You know there are small communities that operate with two officers per shift in a town so yeah, there absolutely would be a structure. We'd be required to have a structure.

REP. ORANGE (48TH): Right.

CHIEF GARY MACNAMARA: I was -- so -- so I would -- I'm presumptuous here but I would let you know that having my prior Chief experience and still having the ability to be sworn, I'm assuming that I would be a good candidate to run the Chief of the Sacred Heart Police Department. And under that would all
the structured requirements to ensure that we're officers that are trained, that their abiding by all legal requirements by the Constitution and by the State of Connecticut. Under that we would begin to build that structure out to ensure that we have supervisors under that and then officers under that.

So we would be run just like any other structured organization. It just might be at a smaller level.

REP. ORANGE (48TH): But you're kind of doing police officers and security guards?

CHIEF GARY MACNAMARA: Yeah, so we --

REP. ORANGE (48TH): It's a mixture? It's not just a police department? It's security guards as well that are unarmed?

CHIEF GARY MACNAMARA: So -- so I would -- I'll give you an example of the Fairfield Police Department. We have -- at the time we had 108 sworn officers. So every day I would come in and I would be in charge of 108 --

REP. ORANGE (48TH): I understand how that all works but are -- my question actually is, you would have sworn police officers as well as unarmed security guards --

CHIEF GARY MACNAMARA: Yes.

REP. ORANGE (48TH): At your disposal? That's the question.

CHIEF GARY MACNAMARA: Absolutely. And we -- and we would have supervisors that would coordinate the two. And my point with Fairfield was, we have unarmed, non-sworn people that give out parking tickets and do other things and we coordinate
through that. It would -- bifurcate only in the sense that they'd have two different roles, but it's all going to fall under that chain of command or one command.

REP. ORANGE (48TH): Okay. And the other question that I have is can Sacred Heart University afford to do this or would it require increasing tuition rates?

MICHAEL LAROBINA: Much of the infrastructure that you speak about is already in place. The vehicles are in place. There's a state-of-the-art building that we just completed that's in place. A state of the art --

REP. ORANGE (48TH): But that's nice, but the question is, can this be finished and completed without raising tuition to the college students?

MICHAEL LAROBINA: Tuition increase would not be driven by this because currently we --

REP. ORANGE (48TH): That's -- that's what I need to know. Your answer is no?

MICHAEL LAROBINA: At the current time, no.

REP. ORANGE (48TH): Okay.

MICHAEL LAROBINA: I can't speak for the future, but at the current time there are monies being expended by hiring off-duty Fairfield Police Officers to have a presence on campus. That -- those expenditures would be redirected.

REP. ORANGE (48TH): All right. Well, good luck guys. Thank you.

SENATOR BRADLEY (23RD): Any other questions? Yes, Representative Gonzalez.
REP. GONZALEZ (3RD): Thank you, Mr. Chair. And I'm going to apologize cause I was not -- I was in another meeting but I do have a couple of -- couple of questions. Do those police officers that are going to be paid by the campus, right?

MICHAEL LAROBINA: Right.

REP. GONZALEZ (3RD): Okay. So that means that their loyalty is to the campus because they're going to be paid by the campus. Now knowing that we've been having so many complaints about female students; they've been complaining that sex harassment, sexual abuse, they notify the administration, they never did anything about it. They swept all that information under the carpet. Nothing happened until maybe they start, something going on out there. So having those police officers, they're going to be loyalty to the campus and knowing that there's a past history that -- that campus has been hiding some information because they don't want bad publicity; what is this really going to help, or is going to make any kind of difference?

GARY MACNAMARA: So you bring up a couple points. Number one is, some of those issues you talk about are leadership in any organization. And if there are organ -- and I don't know whether you're referring specifically to Sacred Heart University; I hope you're not, but if you are you know that comes towards leadership and what we've seen is in many areas of our society there's a lack of leadership meaning people don't follow through with what is reported to them.

I can tell you as the Chief of the Fairfield Police Department, if you came forward with a complaint, it
was addressed. You might not like the way it was addressed, but it was certainly addressed.

While you say that police officers have loyalty to the university, they -- they -- to an extent you're right. I mean they work there; they get paid there. As a Fairfield Police Chief I had loyalty to the town of Fairfield and the town government because they pay me; however, I have an obligation and I take an oath and that oath is not to the town of Fairfield. Yeah, in some minor ways it might be.

My oath is to the Constitution and frankly by being a sworn police officer I'm required by law; I'm not required by the university to take certain action. So this allows the state to ensure that anything that comes before a police officer of Sacred Heart University is addressed in a manner in which it should be by law. So -- so that -- that -- that actually is -- I hope that answers your question.

REP. GONZALEZ (3RD): In a way. Because still some doubts but any -- and I'm sorry, because this is my first conversation about this Bill but any consequences if that doesn't happen?

GARY MACNAMARA: Let me add. Well --

REP. GONZALEZ (3RD): In the Bill?

GARY MACNAMARA: Yeah, yeah.

MICHAEL LAROBINA: If I may, I think I hear your concern if I may address it. All universities, not only our university but all universities have obligations to aggressively investigate all allegations of sexual assault, harassment, stalking, separate and apart from law enforcement. Federal regulations require that there is a dual investigation that must take place parallel at the
same time. So it is not primarily law enforcement that is investigating these; it's our Title Nine Officer that is doing this, and it is the victim's choice whether or not to go to law enforcement. So -- it -- that control is within the victim's ability. In fact, we are prevented from going to law enforcement unless the victim requests that we do that. The victim has rights and has privacy rights and has the right to control and in fact they do.

We have an aggressive policies and procedures and programs in place that investigate all allegations of sexual assault, harassment, stalking, and all universities to my knowledge do. There are Federal requirements that require us to do that. I would suspect, Representative that if there was a student who requested police assistance as a result of a sexual assault, we would be calling in the Fairfield Police Department to conduct that investigation.

REP. GONZALEZ (3RD): Well thank you for the answer. And I believe that in, and I always say if we believe in a perfect world, that would happen. But we know for a fact in other cases that there are complaints. Because I would be happy to answer them years ago and I know for a fact that she complained -- and complained to the administration and nothing happened. So -- and -- and that's my concern. I'm not saying that all the campuses are the same, but I'm saying that that's a concern out there because based on the -- on the -- on the papers we read you know that this -- there -- it was a complaint they never did anything about it. And that's my concern.

My concern is that being desk police officer they are going to be -- they will have -- their role is
to investigate you know what really happened and my -- my concern is that in the past they hide -- campus hide information because they don't want bad publicity. I would like to know you know, what if this is going to help maybe, or maybe resolve that kind of problem that we've been having and what you know, which way it's going to -- because they're going to respond first to campus. Campus is going to try to avoid that publicity, so I would like to know you know -- that's my concern.

MICHAEL LAROBINA: Actually if a student comes to us with an allegation of a sexual assault, it is not the police that are immediately called. It is the Title Nine Officer who conducts an investigation. The police are only involved if the student requests it. Would it help? I think now you'd have two entities on campus; right now you have one. You have the Title Nine Officer. You'd have two entities on campus. You would have the Title Nine Officer and the university police. So by broadening the people who are responsible for investigating these things, I would hope that would help and that you would have more of an opportunity for these things to come to life.

I can't speak to what happens at other universities but I can tell you on our campus, we've invested a lot into making sure that we're in complete compliance with federal regulations surrounding this and that all of these allegations are aggressively investigated to conclusion. In fact if this helps -- helps you with some of your concerns, often times we hire outside investigators to investigate these matters so that there is no bias on the part of the university or the employees that work for us.
So that's generally our practice, is to have an outside person come in conducting -- independent. And these people are vetted not by us. They are vetted and approved by our insurer and so they're -- they're not employed by us. They're not chosen by us. They come off a list and we just go through the list in a rotation and these are outside experts in the area. So a lot is being done in higher ed, I know particularly on our campus to address your concerns.

REP. GONZALEZ (3RD): Yeah, because right now if I'm not mistaken right now the victim goes to administration and report it and if they wait and nothing happens and maybe the family get involved, then the next step for them is to go to -- to the police and inform them. But I think that right now every you know -- victims they go to the administration first you know, hoping the administration is going to do something about it. And that's when -- when the problem -- we have the problem. That some of these campuses that don't report it and because they just -- you know they only went to the administration; they don't report. So still some concern out there, you know? I have some concern. Hopefully this -- maybe I don't know, this can resolve the problem but I still have some concern. Thank you for your answers.

SENATOR BRADLEY (23RD): Any other questions? Seeing none, thank you gentleman for your testimony today. It's appreciated. Next is Rebecca St. George. And just a friendly reminder everybody. We're trying to hold fast to the three-minute rule for public speaking so when you hear the buzzer, I'm sure members of the Committee might have questions.
and that's not directed specifically to you Ms. St. George, but just in general.

REBECCA ST.GEORGE: Sure. Good afternoon ladies and gentleman. My name is Rebecca St. George and I'm testifying on behalf of the PO Act and as a member of the Naugatuck Police Union. I'm a law enforcement officer with four years of service. The reason I'm here today is to discuss mental health for first responders, specifically police officers.

I'm speaking on a topic that is difficult to discuss among our community due to the stigma that still exists. Unfortunately during my short time as a police officer I have seen firsthand the tragedy of an officer's suicide within my own department in late 2017. The suicide of the officer was traumatic to not just the department but as our family, but also the community which is our extended family. Its effects still ripple out to this day and is a painful wound that will take years to heal.

November 3, 2017 is a day that will be forever burned into my mind. I remember vividly my supervisors walking into the high school where I'm the school resource officer and telling me that we had to make a death notification. I remember hearing my Lieutenant tell me that our brother officer, Tommy had committed suicide and that we needed to tell his sister. His sister is not only someone I work closely with every day as she is my co-worker at the high school but someone I consider a very dear friend.

In shock I walked into the office where she was just in time to see her collapse to the ground as my Captain told her what had happened. What happened next is something I will never forget. I rushed
over to her as two of the other secretaries tried to hold her up and in that moment one of the keyed the mic on my portable radio. Her cries echoed through every vehicle, portable radio and throughout the whole police department for a split second. That split second seemed like eternity to everybody listening.

The aspect of police officer mental health that goes beyond the headlines and the tragedies aftereffects is often the struggles beforehand for police officers in trying to find trained clinicians that can treat police officers and responders. The process is done through word of mouth and in the shadows out of the officer's concerns of the stigma of requesting formal assistance. While each of the stories of the police officer's suicide comes with its unique thread, there also emerges the similar storyline of family members and coworkers trying to find help through a mental health worker that specializes in the field.

We are done with the times where we need to convince the officer to come forward and accept treatment despite professional ramifications. The reason this Bill and your support for this Bill from both sides of the aisle is so important is that it addresses the concerns that so many of our brothers and sisters have when trying to give or seek help. Well I had witnessed the firsthand tragedy of seeing an officer and a friend take his own life, I have also seen success of officers of who when properly placed can thrive at the result of first responder mental health treatment.
I would respectfully ask all of you to support this Bill, SB 824 in the 2019 legislative session.

SENATOR BRADLEY (23RD): Thank you very much. Any questions? Representative Fusco.

REP. FUSCO (81ST): Thank you, Mr. Chairman. Good afternoon, officer.

REBECCA ST.GEORGE: Good afternoon.

REP. FUSCO (81ST): Thank you for being here and testifying.

REBECCA ST.GEORGE: Thank you.

REP. FUSCO (81ST): So I think in 2017 there was over 140 suicides I believe nationwide police officers. In your opinion, what do you think lead to that number and how can we -- what steps can we take here to kind of -- to make sure that you know, of course we want all -- we want all officers to be safe you know nationwide, but especially here in Connecticut to reduce that number and keep them from being a statistic.

REBECCA ST.GEORGE: Sure. I think the big thing is that officers are scared to ask for help because they know when they come forward and they admit something like mental health, you know it's not a physical injury that you can see on the outside. When you admit something like that, you know not only are they worried that people aren't going to trust them or it shows weakness in asking for help, but they're scared of losing their jobs.

And with this Bill what we've done is all we're asking for is for officers to be able to -- after they're cleared from treatment to get their service weapon back. None of the other guns, just so they
can return to work and they don't have to wait the six months. So I think they're scared of losing their livelihood.

REP. FUSCO (81ST): Understood. Thank you for that. And do you think this will lead to -- you know where are you at with peer support and peer policy?

REBECCA ST. GEORGE: So our department has a peer support training. We also have you know, obviously EAP and everything but with peer support, it's something that when an officer admits, hey I need help, peer support can be like okay, we're going to take the next step now and they'll help them, just lead them into the right -- the right direction.

REP. FUSCO (81ST): Thank you for that.

REBECCA ST. GEORGE: Thank you.

REP. FUSCO (81ST): And one last question. Have you had any personal experience with anyone whose had an issue, perhaps and wanted to reach out for wellness but was either turned away or didn't take advantage of it because it's not available? I mean.

REBECCA ST. GEORGE: So we have had officers I know other departments as well, if they need help, they need inpatient they actually have to go out of state rather than going somewhere in Connecticut. So we're talking these officers are away from their families, out of state for an extended period of time and it would just be so much more convenient and it would make so much more sense if they could just go somewhere here.

REP. FUSCO (81ST): So it's kind of a no-ask, no-tell with the chiefs so to speak?

REBECCA ST. GEORGE: Yeah.
REP. FUSCO (81ST): Okay. Well thank you for those answers. I appreciate your testimony today.

REBECCA ST. GEORGE: Thank you very much.

REP. FUSCO (81ST): Thank you, Mr. Chairman.

SENATOR BRADLEY (23RD): My pleasure. Thank you, Representative. Representative Fishbein.

REP. FISHBEIN (90TH): Thank you, Mr. Chairman. Thank you for coming and testifying today. You know certainly, you know suicide is very serious and you know probably you know I've had people in my life take their life and the most frustrating thing is that they didn't come to me beforehand and say, you know I've got problems. So totally got the sympathy there.

But why would we not give a police officer -- you had mentioned, not their other guns, just the service weapon; why wouldn't we give them their other guns? Why are they -- why is this officer all of a sudden okay to carry their service weapon but not be in procession of other guns?

REBECCA ST. GEORGE: Sure. So the reason that that is this year is last year when the Bill was proposed to everybody that was an issue with an officer getting all of their guns back. Just like anybody else, they wouldn't be able to have all their guns back so we changed it this year for the service weapon because after they're cleared to go back to work they're able to get the service weapon back so that they can return to work rather than waiting the six months.

REP. FISHBEIN (90TH): But aren't -- aren't we concerned -- I just -- why wouldn't we allow the
office to have the other guns? Isn't the concern that they may do harm to themselves or perhaps to others so we don't want them to have the other guns? Why are we okay with the service weapon but not the other guns? I would think that with the service weapon I mean, you can create just as much damage with a service weapon. So in the interest of public safety, why should I be okay with the service weapon being returned but still be concerned about the other guns? I just don't understand why they're to be treated differently.

REBECCA ST. GEORGE: Well I think that if the officer was cleared to go back to duty you should have no concerns about the other guns as well. I mean it would be great if they would just get everything back but like I said, last year the Bill did not pass and I know that that was a reason. So this year we have it in there they can have their service weapon back so they can go back to work. Obviously if they're being cleared to go back to duty, I don't think there should be anything to worry about.

REP. FISHBEIN (90TH): Well you were very clear to say, of course they wouldn't get their other guns back but they would get their service weapon back. And I'm sitting here saying, whoa. I mean I've got a problem with that. I -- I -- I have a problem with that. I mean -- and I know the general public, if they had an issue like this that you know called for treatment, they're not getting any guns back. Certainly not getting a pistol permit back until there's been some sort of hearing before the Board of Firearms, that kind of stuff. And I'm just concerned about general public safety here.
Is there some other way we can deal with this? Cause I don't want to -- you know, the job is tied to the service weapon. I got that. You know I would certainly be interested in discussing some alternative but if I'm still concerned for the officer and their mental well-being with their other guns, it's no different than their service weapon; with all due respect. And I don't want to see a problem happen and you know, I think I'm the one who brought up that problem last time. And I end up with the same -- the same place quite frankly. I don't have an answer.

The other thing -- the other pushback I got on this Bill last time was from municipalities that it would increase their expenses as far as the okay for the officer to go back to work. It wasn't through the standard process; it was an alternative process. Is that still in this Bill?

REBECCA ST.GEORGE: Can I ask you just to clarify just a little bit? I want to make sure I'm understanding your question.

REP. FISHBEIN (90TH): Sure. If I recall correctly there was going to be appointed like three different mental health treaters approved by I believe it was the State Police and in order to get a clear to go back to work the -- the officer had to go to those -- one of those treaters to get cleared. And I would have a first selectman contact me and say, well that's an added expense that we're going to have to -- to pay for and you know, the expenses of that are not intended, not part of our budget, that kind of stuff.

So I guess it's -- it's a two-tier question. Do you confirm that process from last years' Bill? Having
three different mental health professionals or is that news to you?

REBECCA ST. GEORGE: One second. So CCM did support it last year, this version. We don't think it's a concern anymore. Does that answer your question?

REP. FISHBEIN (90TH): No, because quite frankly well -- just because CCM endorses something I -- it gives me nothing but.

REBECCA ST. GEORGE: So all the payments come from your healthcare, your existing healthcare. So this Bill, it doesn't deal with that. It's just giving the opportunity to go get help.

REP. FISHBEIN (90TH): What's the gatekeeper for this officer to go back to work?

REBECCA ST. GEORGE: They have to be cleared.

REP. FISHBEIN (90TH): And who are they cleared by? Is it their regular mental health professional or is it somebody that DMHAS or the state police approve of? Separate or part from the regular system?

REBECCA ST. GEORGE: The Chief. Our Chief of Police has to be able to clear the officer after receiving all the documentation that they completed their treatment and seen all the doctors that they needed to see.

REP. FISHBEIN (90TH): Okay. So is the Chief empowered with the discretion to say they can come back to work but they can't have a service weapon? Or does this statute mandate the return of the service weapon upon returning to work?

REBECCA ST. GEORGE: The Chief has the say.
REP. FISHBEIN (90TH): Can you point me to that section that makes it discretionary?

REBECCA ST.GEORGE: So we have not changed the Fit for Duty Analysis yet but I believe we have a Chief coming up to testify next and he'll be answering that question further, much better than I could.

REP. FISHBEIN (90TH): All right. So -- and I understand that. So when you say we have not changed it, am I to take it that the model that we had last year that we've sort of been discussing is still in here and has not changed from last year?

REBECCA ST.GEORGE: Yes.

REP. FISHBEIN (90TH): Okay. And I look forward to --

REBECCA ST.GEORGE: That question I could answer. [Laughing]

REP. FISHBEIN (90TH): Fantastic. And you did very well. I thank you and I thank you for your service and you know, the instances that you've been through. So I thank you and thank you, Mr. Chairman.

SENATOR BRADLEY (23RD): I'm not sure who had their hand up first on here. Genga, had your hand up first. Representative, you have the floor and then we'll just -- I guess we'll go right down to Representative Simmons next.

REP. Genga (10TH): Thank you, Mr. Chair. Thank you for your testimony, Officer.

REBECCA ST.GEORGE: Thank you.

REP. Genga (10TH): And I find it very compelling. I'd like to ask you, regarding this Bill the way
it's written, do you think there's any aspects that improve gun safety?

REBECCA ST.GEORGE: Yes. And I will say I think that having the outlet where an officer can go seek help, they can get the treatment that they need, it almost takes away the liability rather than having somebody who is unfit for duty out on the road. So I think it benefits everybody in the community as a whole.

REP. GENGA (10TH): Thank you. And thank you for your service.

REBECCA ST.GEORGE: Thank you.

REP. GENGA (10TH): It's great to see females in the service.

REBECCA ST.GEORGE: I think so too. [Laughing]

REP. GENGA (10TH): Are you married?

REBECCA ST.GEORGE: I am not.

REP. GENGA (10TH): Okay. Then I won't ask you a second question cause I wanted to know; I hear from a lot of wives of police officers that I know but I've never heard from the opposite side and would like to hear how the husbands feel about their wife. I know there's a traumatic concern about every day an officer goes out.

REBECCA ST.GEORGE: I have a lot of female friends that are married and their husbands, let me tell you, they worry so much about them. But just like anybody would having somebody out there cause you just -- you never know what could happen.

REP. GENGA (10TH): Great. Thank you.
REBECCA ST.GEORGE: Thank you.

SENATOR BRADLEY (23RD): Representative Simmons.

REP. SIMMONS (144TH): Thank you, Mr. Chairman. Through you. I want to thank you for your testimony today and for your service to our state, all you do to keep us safe and so sorry to hear about what happened to your friend and thank you for your courage in coming up to share that story today. And I couldn't agree more with the intent of this Bill and how important it is to support mental health services for our police officers and I think more and more today they're increasingly being asked to do more with less and they're on the front lines on the war on terror and a number of other issues that they're dealing with in our state and local communities today.

I wanted to ask two questions with respect to the stigma you mentioned about police officers being hesitant to come forward. Do you think that one of the reasons is because of the fear of losing the weapon and not being able to return to work if they do seek mental health services? Is that something you see in your department?

REBECCA ST.GEORGE: I see it you know really everywhere. You know, admitting that there's something wrong here, it can just completely change somebody's image of you and especially in this job you know where we're supposed to be big, tough, like it would -- it completely goes against everything and absolutely I think once you -- with how it is now once you admit that you -- you do need help in that way and without this Bill, you're opening yourself up to the risk of losing your job, not being able to work for six months. I mean how can
you -- I know I couldn't pay my bills if I didn't work for six months, one month alone, you know?

REP. SIMMONS (144TH): And a followup to that through you, Mr. Chair. Are there any procedures that your department has implemented since the -- the tragedy that occurred that might be helpful to replicate at other police departments in terms of providing better mental health services or any partners you've worked with?

REBECCA ST.GEORGE: So after everything that happened with Tommy, I know it was in the works before but our department joined the regional support team so now we have several officers as well as a dispatcher that are peer support trained, so we have that now; which is -- which is great.

REP. SIMMONS (144TH): Thank you, thank you again for your testimony and your service.

REBECCA ST.GEORGE: Thank you.

SENATOR BRADLEY (23RD): Representative Morin.

REP. MORIN (28TH): Thank you, Mr. Chairman. I guess good afternoon.

REBECCA ST.GEORGE: Hi.

REP. MORIN (28TH): First and foremost I want to thank you and all the men and women that perform the job that you do.

REBECCA ST.GEORGE: Thank you.

REP. MORIN (28TH): Because I certainly couldn't do it. You know, it's -- this conversation is probably harder for people in law enforcement. There's a stigma in general for folks that are suffering for -- with mental illness or life stresses. There often
are and when -- I think fairly or not fairly, police officers are probably held to a different standard, that you're tough, you've been trained you know, you have to be able to block things out. So I imagine just for an officer to -- to get to the point where they admit that they need some treatment and then go to get the treatment, that's got to be really difficult.

And then having fears of what might happen, possibly retribution. Is that -- do you think it's -- once it's admitted and you start getting treatment, is there a problem getting back like into -- into work where you sense that there's a difficulty for officers to get back into the -- to the job?

REBECCA ST.GEORGE: I think with this Bill there absolutely is. You know this Bill not only allows you to return to work, have your service weapon before the six months is up but also prevents the employer from firing you for admitting that you're having mental health issues and that you need help. So again, that protection as well.

REP. MORIN (28TH): And you answered it a lot better than I asked it, so thank you. Cause again, I think that's -- I'm going to -- I want to support this, I will support this Bill because I think the steps that it takes to help officers get to where they need to be is so important and if we don't help you all get there nothing is ever going to change and people are still going to be ashamed or afraid to even come forward and that leads to I guess some of the stories you've spoken about. So thank you very much for coming and sharing your story.

REBECCA ST.GEORGE: Thank you so much. I appreciate your support.
SENATOR BRADLEY (23RD): Any -- anyone else? Any further questions? Yes, Representative Hall.

REP. J. HALL (7TH): Thank you for coming and being here today and sharing your story. It's -- it's interesting because I look back over a 31-year career of my husband's in law enforcement and he's obviously still in it today. And one year in particular I remember and it was, I believe he was still on patrol. I don't even think he was a Sergeant at the time. But in the course of a six-month window he got two calls back to back, children calls. One was a child that got hit running out from behind an ice-cream truck that he did CPR on to no avail and the child passed. I think it was a week later he went to another call. It was a murder. It was about two -- two streets away from each other. A 2-year-old stabbed to death by his father and this father was hung in the basement.

And the reason I tell you those stories is because my husband came home and dealt with it. And my answer to try to help him deal with that was to get away for a long weekend. So fast forward to today where we actually look at the trauma that these men and women go through every single day and we're not -- we're not saying stuff it, you know stuff it down and suck it up and deal with it. It's -- it's so great to see that we've made these huge leaps and bounds for our Veterans and for our law enforcement and first responders. So I applaud you for this Bill. I support this Bill obviously and I want to thank you for your service because I think as -- as we move forward and we learn a lot more about our first responders and really the traumatic events that affect their lives and how they deal with these things; it's good to be able to not say, let's take
a long weekend so you can decompress. It's -- it's good that we're getting them the help they truly need. So thank you for being here and thank you for your testimony. Thank you for your service.

REBECCA ST. GEORGE: Thank you so much for your support. I appreciate it.

REP. J. HALL (7TH): Absolutely.

SENATOR BRADLEY (23RD): Thank you, Representative Hall. Any other questions? No? Yes, yes, Representative Paolillo.

REP. PAOLILLO (97TH): Thank you, Mr. Chair. And I just wanted to say a couple of things. One, thank you for your persistence, having served on this Committee for two terms now your testimony, your strength in coming forward and obviously talking about your friend in your department and sharing your story means an awful lot from our side. We're sorry for your loss.

On the way up here, representing New Haven and just to do that we have over 400 sworn officers in our department. And running across an officer before I came up this morning and just seeing the amount of calls this particular officer, being on our force and starting out in my community 12 years ago and watching him as a younger rookie and now as a Veteran, but answering six to eight, nine calls per day in an active community and doing so professionally from the time he comes on at 7:00 in the morning to -- you know the time that he leaves; there is a constant stress that is there, that's associated with always being there for everyone and always being there for everyone at some of their not so great times in life.
So thank you for humanizing and bringing this and articulating so well the last several years on this. And you know, I think about some of the officers that we've lost in New Haven, one in particular. A year and a half ago one of the most respected police officers, a retired Police Captain, Jeff Hoffman, who gave 21 years of terrific service and one of the great leaders that we had and left us way too soon. Served on Board of Pardon and Paroles in the state of Connecticut.

So your story today and your continued persistence is certainly welcome from our side. So thank you for being here and thank you for the work that you do in your community every day.

REBECCA ST.GEORGE: Thank you so much.

REP. J. HALL (7TH): Thank you, Mr. Chair.

SENATOR BRADLEY (23RD): Senator Osten.

SENATOR OSTEN (19TH): Thank you very much for coming forward. We've put a Bill before both this Committee and the Labor Committee on posttraumatic stress for first responders for a number of years now. And I'm hoping that this is the year that we get a Bill that will deal with this issue once and for all and allow people to get help if they need it, get covered by Worker's Compensation and finally recognize that posttraumatic stress and mental health are part of the body; not just an abstract. They're real and the issues are real.

I have worked in corrections for 21 years. Since I've left corrections in 2010, 20 of my colleagues have committed suicide and I think people don't recognize the stress that happens in a job where you're required to be at a level of response -- at
that high level of response day in and day out, no matter where you are.

So I'm hoping that this is the year that people listen and actually vote on a Bill that makes it out of both Committees because there's a similar Bill in labor this year -- makes it out of both Committees, but ultimately gets voted on -- on the floor of the Senate and the floor of the House. Because at the end of the day people tell me that this Bill costs money. And I think that when we're putting that against the life of someone who has decided to give us their all and actually runs into situations when we run out, I think that that's something that we have to do. So I appreciate you coming forward. Hopefully this works this time, you know. [Crosstalk]

REBECCA ST.GEORGE: Thank you so much for your support. I appreciate it.

SENATOR BRADLEY (23RD): Thank you for your testimony. It's greatly appreciated.

REBECCA ST.GEORGE: Thank you.

SENATOR BRADLEY (23RD): No further questions I assume. Thank you very much, ma'am. At this time we'll call up Mr. Tim Phelan, please.

TIM PHELAN: Good afternoon Senator Bradley, Representative Paolillo and other members of the Public Safety Committee. With your indulgence Senator Bradley would it be all right if I asked two of my coalition partners on the Bill I'm going to testify to -- to come up and join me? That would be Mr. Sweeney. They're on the list. They're a couple of people ahead of -- behind me and one is Tom Sweeney and the other is Lieutenant Power.
SENATOR BRADLEY (23RD): Sure.

TIM PHELAN: If it's all right we're going to testify on the same Bill and maybe in the interest of time we can answer all questions at the same time?

SENATOR BRADLEY (23RD): That's much appreciated, sure. Gentleman please come forward and join us up here.

TIM PHELAN: While they're making their way forward, let me just give you my testimony quickly. For the record, my name is Tim Phelan. I am president of the Connecticut Retail Merchants Association. We're a statewide trade association representing thousands of retailers throughout Connecticut, large and small. I am here to testify regarding Senate Bill 954 AN ACT CONCERNING SECONDHAND DEALERS, PRECIOUS METALS OR STONE DEALERS AND PAWNBROKERS. CRMA, Connecticut Retail Merchants Association strongly opposes this Bill, and we urge you to reject it.

By way of background, just a few short years ago a tremendous amount of work and collaboration among all parties involved went into legislation that was approved by this Committee and the full General Assembly. That effort including jewelers, secondhand dealers, law enforcement and the pawnbrokers industry. The objective was to develop a modern, statewide -- statewide record keeping system to provide needed protections for consumers while trading in precious metals and stones and other items. The result of that was Public Act 11-100.

Among the many things that bill accomplished was to ensure that pawnbrokers could not give cash to customers when items were bought by the pawnshop --
brought into by a -- brought into a pawn shop. In other words they could not buy something give the customer a check and then cash that check. As part of a compromise on the Bill all parties agreed that practice should be eliminated for all new license holders while allowing to grandfather in certain holders until 2021. That measure was critically important then and now.

And so unfortunately -- I'll summarize my testimony and let Mr. Sweeney finish. The Bill you are considering this year would eliminate that needed protection by eliminating that sunset provision. We think that allowing pawn brokers to give cash for items is just not a good idea. It would weaken the record keeping system and thereby eliminating the needed customer consumer protection as well as a critical tool needed by law enforcement to track down stolen items.

TOM SWEENEY: My name is Tom Sweeney. I am the retired Chief -- I'm the retired Chief of Police in Glastonbury. I was previously the Chief in Bridgeport, Connecticut and I dealt extensively with pawn shop issues since the 1990s. The business going through pawn shops is not pawning. Basically 90 percent of the business going through them is direct purchase of merchandise for resale.

Tim has outlined that the fact that there was agreement between all parties including the pawn brokers to public act -- 11-100 which did a comprehensive reform on pawn broking procedures established a new category called secondhand dealer Precious metals and stones dealers were brought under this same procedures as the secondhand dealers
along with some special conditions that had lasted for a long time.

The jewelers cannot pay for gold or items bought -- gold or precious stones brought to the for sale with -- with the cash, a pawn broker can. Pawn broker procedures in the state appear to have been in place at least probably 70 years, that regulated the licensing of pawn brokers. But let me tell you what pawn broking authorizes. Pawn broker means a person who is engaged in the business of loaning money to -- on deposit to -- or pledge of wearing apparel, jewelry, ornaments, household goods or other personal property purchasing such items on the condition of selling it back to the same party. That is not what is going on in pawn shops. 90 percent is direct sale in the market.

Massive amounts of money going through. To give you the size of a scale of fencing items, the federal government has just convicted two secondhand dealers out of New Haven for an estimate $6.1 million worth of new in package goods processed through that business over the last several years. It's enormous and things did not exist previously where a lot of sales are now occurring on the internet. So it's interstate trafficking of stolen merchandise. It's a very complex issue. These procedures which allow cash on the scene facilitate fencing. They make a business particularly attractive to addicts and career thieves who are looking for quick cash.

The require -- the -- when Public Act 11-100 was established it articulated a much more specific requirement for how payments had to be made. Specifically no cash could be given. All payments by a pawn broker, a secondhand dealer, had to be by
check. That check could not be cashed as pawn brokers currently do and money given to the party on the scene. That check -- in some cases they cash those checks, they give the money to the party and drop the check under the counter not establishing a real -- a true financial picture of what's going through those businesses.

LIEUTENANT ANDREW POWER: I'm in support of this. My name is Lieutenant Andrew Power. I'm the Commander of the Detective Division of Wethersfield Police. I wanted to address a few issues. I think it was Representative Fishbein that you had asked earlier about how -- how our system works.

There are pawn -- each -- each company -- each pawn store has to buy a pawn broker software that allows the upload of the items to -- in our case we get our databases from NESPIN, the New England State Police Information Network. That's done daily in Wethersfield. There are other towns that only require weekly. Ours do not contain pictures. I think you had asked earlier about pictures. Ours do not contain pictures. A description of the item is listed. Our detectives will look at it. In the case of your mother's burglary, if the detectives had listed the item accurately our detectives would look at the list and if it matched we would go to the store to look at the item. So that's all done with -- within about a week usually. That's why the upload of -- of a daily is very helpful, but no pictures.

There was one other thing. Oh, you had asked about IDs. Presently the law -- the local issuing authority can require what type of ID has to be shown at transaction time. In Wethersfield our
Chief is the issuing authority. He requires it be a state-issued or a government ID but that's not the case in all communities. So the way the law is written, it could be an ID that's from Sam's Club that has no real information on it other than your name and your picture but our local issuing authority, the Chief he has to -- he's required it to be a state issued ID or government ID. Thank you for having me.

TIM PHELAN: Sure and we'd be happy to answer any questions. I just would like to end by saying that the retail community and law enforcement are united in our efforts to stop organized retail crime and other types of abuse that take place with home invasion -- you know, invasion -- burglaries and other types of things; merchandise that finds its way miraculously through a pawn shop. So that's why together we're up here asking this Committee not to move forward this Bill.

We think that we reached a good compromise back in 2011. We all gave a little bit on that. We certainly are not thrilled that there are a group of pawn brokers that can issue a check and cash checks. We just don't see the need why we should eliminate that sunset if there's no compelling reason that we can find that that compromise should be undone. So we're happy that -- to answer any questions you may have.

TOM SWEENEY: I would just add that this agreement was -- our Public Act 11-100 was done because the two years prior, investigations had established through sting operations that 80 percent of the pawn brokers approach brought merchandise that they had been represented to them as sold. That was an issue
of great concern and we had -- when we went in and executed warrants on those businesses, it was massive amounts of merchandise on the scene that had not been documented as required by the process.

The type of procedures that are currently in the law for -- for secondhand dealers are much better and would go in effect across the whole field of purchasing of secondary merchandise. And as Tim said, there was agreement between all parties. The jewelers, the -- jewelers, the coin dealers, individuals from police departments, the pawn brokers themselves. The only sticking point was on the -- wanting to maintain a process that facilitates quick cash payments and easy to hide money and merchandise. The new procedures that are mandated in the law basically go into effect for everyone on July 1, 2021. This is the fifth year in a row the pawn brokers have sought to undo the compromise that was made. That compromise was made in discussion with the Committee's leadership back in 2011. It was the only sticking point to a comprehensive revision of these laws and it was agreed that by -- okay, for those that were licensed prior to 2011 they would be given a one-time ten-year extension and then it was supposed to die.

REP. VERRENGIA (20TH): Okay, thank you. Are there any questions? Representative Barry.

REP. BARRY (31ST): Thank you, Mr. Chair. Thank you for testimony. Always good to see you, Chief Sweeney. Question. Are there discrepancies between the three licenses of secondhand dealers, pawn brokers and precious metals and stone broker dealers?
TIM PHELAN: I'll let you -- Tom, I'll let you answer that. I will note that we primarily represent precious metal dealers, which is essentially jewelry stores. They do not, for the most part -- there may be some exceptions; they don't hold a pawn broker license and they don't own -- hold a secondhand dealer license. But there may be some pawn brokers that own all three licenses.

TOM SWEENEY: They -- the jewelers -- if an individual is buying gold and precious metal -- stones, must comply with the procedure specified for secondhand -- purchase of the secondhand dealer. The pawn brokers generally want to use something for pawn brokering that's not designed for the direct sale of merchandise. It's designed to give quick loans to individuals and on the condition of buying back from them, the materials they offer as a pledge.

The jewelers As I said must fully comply with the same standards of the secondhand dealer laws. The requirements are almost identical for reporting and tracking from the -- what the dealers are doing and that -- they are dramatically different than the procedures, the loose use of money and provision of money and holding requirements that are there for pawn brokers. Pawn brokers were not under those rigorous standards except for the pawn brokers basically who opened their businesses after March 30, 2011. After that date, that group has to comply with the standards of a secondhand dealer. The ones that were grandfathered do not until 2021. And the issue is that's what they're trying to get out of and extend a one-time deal that was basically the essence -- the leadership of members of this Committee and the leadership of the Committee at the
time were very closely involved with the discussions. They were aware of the extensive involvement in all the parties in framing it. And then afterwards the pawn brokers are trying to renege. This is the fifth time in five years I've had to be up here on this issue, and I expect I'll have to be back next year and the year after.

REP. BARRY (31ST): Thank you. And just a -- just a followup. In your experience how would the passage of this Bill contribute to illegal activity?

TOM SWEENEY: The passage of this Bill would allow one segment of -- of the secondhand market and the second -- if 10 percent of the transactions and pawn brokers establishments are pawns of pledges. 90 percent is direct sale. It would not be -- that direct sale would not be regulated by the other provisions. In 2021 everybody may not pay cash on the scene. The scene must be processed through a bank so there's an independent accounting for the transaction. This is second verification of the seller who was paid. It also -- that second processing eliminates the aura of a cash business that is so attractive to certain thieves and drug users. So it -- so it's much more tighter accounting of what's going through there. It also establishes an independent record for the sale and a -- a -- if you ever tried to audit those businesses, it would establish a business record of what's going through them, which is not there now in most cases.

REP. BARRY (31ST): Thank you.

REP. VERRENGIA (20TH): Representative Simmons.

REP. SIMMONS (144TH): Thank you, Mr. Chairman and Thank you, sir for your testimony. And I'm
wondering if you could speak to the second provision of this Bill prohibiting a pawn broker from cashing a check in excess of $500. Do you think that would help limit elicit activity in thereby enhance public safety or do you think that doesn't go far enough and are there other recommendations you would make?

TOM SWEENEY: I think that proposal was made from something I saw that was because he -- one of his checks was duplicated, style and check was duplicated and a number of checks cashed on his bank account, so he was trying to limit that. That was not an issue we were concerned with at that point in time. That's accumulative total. You can't over the $1000 limit for all the purchases you make in a 24-hour period. That's something of interest to him. We were willing to live with till the end, the $1000 limit. I don't see there's any benefit to the law enforcement or the jewelers or anybody else that's involved specifically. But it was a different issue last year and it was a different little minor issue the year before.

REP. SIMMONS (144TH): Thank you. And through you, Mr. Chair just to followup. Based on your experience as a chief dealing with this issue for a number of years, are there any other legislative measures you recommend we take to help regulate this activity and limit elicit financial activity?

TOM SWEENEY: Knowing the effort that this Committee put it in and all the people that were involved in about the ten months leading up to getting to a final proposal, I think Public Act 11-100 was a magnificent piece of work. It balanced a lot of different interests. It ties them together very nicely at some point in time to account for the
merchandise, to reduce the opportunities for fencing activities to occur. It recognized that yeah, there was some adjustment for the pawn brokers but it -- the pawn brokers have taken advantage of this issue of exempting people because the way -- unfortunately the way it was written, it was something we hadn't anticipated.

It says that an individual who is licensed as a pawn brokers on March 30, 2011 may continue to use the pawn broking procedures, the weaker procedures until July 1, 2021 -- who had the license. One pawn broker who was involved back then has gone out and bought either other pawn shops in other communities because it didn't say licensed in that -- may open in that community. It was sort of an open-ended issue that was not anticipated. They've exploited it but now they're trying to get out from being accountable for it.

REP. SIMMONS (144TH): Thank you. Thank you, Mr. Chairman.

TIM PHELAN: I would just, Representative Simmons that when this Bill was debated within this Committee in 2011 if you recall, there was a lot of -- the price of gold was going up and there was a lot you know, cash -- quick cash turned on melting gold and that's why the Committee took a lot of -- took a look at this.

And the procedures that Mr. Sweeney has described that were put in place now apply even though the price of gold and that has subsided, now there's other challenges that law enforcement face and other challenges that indirectly impact the retail community through organized retail crime where people are going and stealing stuff because they
need cash to fulfill maybe a drug habit or something like that. So the framework that was put in place as a result of one particular problem still apply as other problems emerge.

TOM SWEENEY: I think there are some issues in this that may have to be looked at. It's a sound foundation but we're seeing more internet sales so this whole issue of that after-market was never built into the Bill so we may have to review that. Given the fact that we're heading more towards a cashless society, one of the alternatives debit cards or otherwise that are valid and can be accepted in this kind of process for legitimate sales. Those are issues that I think are just sort of on our doorstep and we do not have an immediate answer for. But the Bill as it stands should be allowed to work as the legislature intended. It is well put together to cover -- we had drafting help on it from an Assistant State's Attorney in Bridgeport who was very, very familiar with the background of this and the whole issue of prosecuting those kind of cases.

REP. SIMMONS (144TH): Thank you. Thank you for that followup. Thanks, Mr. Chairman.


REP. MORIN (28TH): Thanks, Mr. Chairman. Gentleman, thanks for testifying. You know this brings -- this type of Bill brings forth you know; I don't think many people see or understand that this actually is a problem. You know, unless you -- some of the stories you've brought effects -- some people might say well why -- why even bother doing something like this? But listening to your
testimony and understanding really it's a public safety issue.

TIM PHELAN: Representative Morin, on behalf of the retail industry, we're very lucky that we get -- we work as closely that we do with local law enforcements and Connecticut's Chiefs of Police Association. The retail industry has a tremendous challenge on a term we call organized retail crime where it's not -- it's no longer simply shoplifting where someone will come in and take a T-shirt and run out of the store. It's a -- it is a network and a complicated group of interconnected individuals, more than one, certainly in many cases I think technically the definition is three or more that will go up and down I-95 and I-91 jumping in and off the exits, running into stores, coordinate activities and then what they do with that merchandise is -- is the challenge.

Where does it show up? And that's why we needed to work closely with the Chiefs of Police Association, local law enforcement to figure out how do we stop that. That's why we put the record keeping and things in place, the licensing requirements in place. They're all an effort, on our part anyways, to try to do the best we can to combat this because it is a continuing problem for the retail industry.

REP. MORIN (28TH): And that ultimately effects all of us as people that shop at those places and the higher costs. I just want to give a shout out. Wethersfield always seems to do a fine job of maybe just going above that bar of what's necessary so I've known Lieutenant Power for what seems like 100 years but since you've been on the police force and
always stepping up just above -- always above what is necessary to be done. So thank you.

TOM SWEENEY: If I could add just on the issue of the size on this day and the scope of this. At the time just before the Act was changed we had identified one party who had a 22-year career criminal career, 68 arrests, 72 convictions and we had him selling $40,000 worth of Home Depot merchandise into three pawn shops in the Waterbury area and he collected and returned about $13,000. Standard rate is they get one-third the price. They put in on the internet or something, sell it for 60 percent of the price and Home Depot gets stiffed. Target was in the same situation, more video games and things like that. The amount of money going through that after-market is massive.

REP. MORIN (28TH): Thank you. I appreciate the answers.

REP. VERRENGIA (20TH): Representative Fishbein.

REP. FISHBEIN (90TH): Thank you, Mr. Chairman. Good afternoon gentleman. I thank you for the comments with regard to my questions earlier. I just wanted to follow up. Why is it that -- why is it that a department once they get the information from a pawn shop, hears a general description that meets something that was stolen; why do you have to go to the pawn shop? I would think that you would call them up and say, can you email me the picture. But I keep on hearing that it has to be a face-to-face meeting.

LIEUTENANT POWER: So they -- we -- we could do both. We -- we have great relationships with the pawn shops and if we call them up and say, hey we're
looking into a burglary -- so they have to hold the item for a certain amount of days before they can either sell it or -- or in case of gold, they can melt it down. If they're pawning it, so that's if I walk in and want to get rid of my watch but I'm saying I'm coming back to buy it back from you, of course you're going to buy it back for more; they have to hold that item for 60 days. The store has to hold it for 60 days.

If they're just selling it, I just have a TV, I want to get rid of it; that's only 10 days. So that -- the 10-day period allows the police department to investigate their crime. So hopefully the crimes are being reported in a timely manner. We -- we check those pawn lists every day. We're -- we're constantly getting calls. It's a very well-organized system that's in place and we recover lots -- lots of stolen items.

REP. FISHBEIN (90TH): Yeah, I just want to make sure you're not hamstrung in having to go face to face.

LIEUTENANT POWER: No, no we can call the pawn shop and say, hey you know, this guy you know -- I'll give a fictitious -- Joe Smith came in and it looks like he pawned a gold necklace there. Could you email us over a picture?

REP. FISHBEIN (90TH): Okay.

LIEUTENANT POWER: And then we'll take those pictures that show right to the victim and that's how we connect the dots that way.

TOM SWEENEY: The -- the secondhand dealer sections of this clearly outline the holding requirements but they give the authority -- they require the dealer or the pawn broker upon -- the establishment that's
buying the merchandise to list all of their eBay accounts to -- and any services of that type to specify all their storage areas and for a police office to investigate any and all of them as just part of monitoring this kind of business.

When you walk into one of these larger pawn dealers that was caught up in the 2009 sting operation, when the officers went in there they found thou -- well probably two-thirds more new in box merchandise than was accounted for in the purchasing of it. And they had a whole setup to process stuff through eBay.

REP. FISHBEIN (90TH): When I -- when I used to work in retail I did security so I know all about --

LIEUTENANT POWER: You know what we're up against then?

REP. FISHBEIN (90TH): Absolutely. I've chased more people down through parking lots.

LIEUTENANT POWER: Yeah, right.

REP. FISHBEIN (90TH): Anyway, the ID issue you know, I was of the understanding based upon the testimony earlier there was a statutory requirement that the pawn shop look at or review federal or state ID before they do the transaction but what I'm hearing through your testimony is that is not statutorily required; is that included?

LIEUTENANT POWER: It's not -- it's not written as stringent as that other gentleman made it appear.

REP. FISHBEIN (90TH): Okay. I think it would be of assistance to you gentleman if we did take a look at that language and perhaps we tighten that up, because certainly you know for requiring federal or state IDs it would --
LIEUTENANT POWER: It just -- all right, if I can read from the --

REP. FISHBEIN (90TH): Absolutely.

LIEUTENANT POWER: It's section 21-47e subsection A. It says such ID -- such identification shall include a photo -- a photograph and address if available on the identification and an identifying number including but not limited to date of birth. That doesn't specify that it has to be a state ID or federal issued ID.

REP. FISHBEIN (90TH): Yeah, my DJ's card had my picture on it and a number.

LIEUTENANT POWER: Yeah, if it has a number and/or a date of birth that's -- some -- some pawn shops in some towns are taking those IDs. In Wethersfield we are not because the local issuing authority in our case, the Chief he could write stricter regulations and we require it to be a state or federal issued ID.

REP. FISHBEIN (90TH): Okay. I -- I would be interested in working together with you gentleman on perhaps tightening that up. You know the other thing is that it appears over the last few years you've been on the defense. You know, perhaps -- and I don't want to give anyone legal advise but this sunset can happen earlier than 2021 also. So you know I certainly would -- I don't know why anybody wouldn't [crosstalk].

TIM PHELAN: Correct. You're right, Representative Fishbein. Well to the point that Mr. Sweeney made earlier. We -- we are trying our best to stay with the agreement that was reached by this Committee and by the full General Assembly back in 2011. We -- we
seem to be the only ones that want to honor that -- that deal, but perhaps you're right. Maybe it's time for us to eliminate it sooner.

REP. FISHEIN (90TH): Okay. All right. Well you know, food for thought for the future, so. Thank you, Mr. Chairman.

REP. PAOLILLO (97TH): Thank you, Representative. Any other questions? Seeing none, thank you for your time and your testimony today. Next up we have Chief Jim Viadero and James Rascati.

JIM VIADERO: Good afternoon.

REP. PAOLILLO (97TH): Good afternoon.

JIM VIADERO: Thank you for allowing us to testify. I'm sitting here representing the town of Newtown. I'm the Chief of Police, Newtown, Connecticut and also I sit of the Chairperson of the Officer Wellness Committee for Connecticut Police Chiefs Association and we are in support of Bill, Session Bill 5154. Far too often as police chiefs and police officers we see our officers suffer the rigorous stresses and trauma and the mental health problems that accompany it.

One of the things we've tried to do as police officers and as administrators for the police department are break down barriers where our officers can get treatment. We believe that some of the unintended consequences of a public Act, 13-3 which has the six-month requirement that if an officer seeks treatment and is in-patient for psychiatric evaluation and treatment they lose their weapon for six months. This creates a hardship. We're trying to take away barriers for our law enforcement officers to seek this type of treatment.
In my personal career, I've worked three years in Newtown, 30 years as a Bridgeport Police Officer. I personally know five officers who have committed suicide, the most recent one being this last weekend in Bridgeport, we lost a Sergeant, Sergeant Mark Belinke to suicide. Not to attribute the job totally to that. I don't know the circumstances behind it, but most certainly there's a stigma attached to our officers seeking mental health treatment.

And as law enforcement professionals, we're responsible for our officers from the minute we hire them to the minute that they retire. And that includes their mental health and their physical well-being, so we support this Bill here. I'm happy to be accompanied by James Rascoti from Behavioral Health Services. He represents 58 police departments for Employee Assistance Programs. I'll let him testify.

JAMES RASCOTI: Thanks Chief. Like the Chief said, I'm Jim Rascoti. I'm here to wholeheartedly and to strongly encourage your support of House Bill No. 5154, AN ACT CONCERNING MENTAL HEALTH CARE AND WELLNESS TRAINING AND SUICIDE PREVENTION FOR POLICE OFFICERS. I've already submitted written testimony and this is a brief version of that.

I am a clinical social worker with more than 40 years in the behavioral health field. For the last 30 years I have also maintained a position as a Clinical Instructor in Psychiatry at Yale University School of Medicine. I'm a partner at Behavioral Health Consultants. As the Chief said, we work with 58 police departments and 23 fire departments where we provide clinical services, Employee Assistance
Programs, training, critical incident debriefings and consultative services. My company has trained 36 police departments in developing their own police peer support teams. Over the past 15 years I personally responded to multiple line of duty deaths as well as nine police suicides, one of the most devastating events any law enforcement agency can experience. In fact, as the Chief said, just this last Saturday a Sergeant from Bridgeport killed himself. We were down there Saturday, Sunday and Monday at roll calls. Absolutely heartbreaking for those men and women of those departments. I also responded to the Manchester Police Department on the day of the mass murder at Hartford Distributors and one week after Sandy Hook Elementary School we were called in to work with the Newtown Police Department.

It is from my clinical, academic and hands on experience with law enforcement that HB 5154 must be passed. First responders, law enforcement in particular, are usually reticent to use behavioral health services for many reasons; stigma, confidentiality concerns and the ever-present and accurate fear that using them will jam them up on their career, which is patently false. And yet the literature and research is fairly clear. Police officers have higher rates of divorce, substance abuse, acute stress, PTSD, depression and suicide than the general public.

We know clinically that stress for some individuals can build up over time. Police officers see things that many of us cannot imagine. They see oftentimes the worst that humanity has to offer. When officers erroneously think that accessing mental health
services will negatively impact their career, we're creating a recipe for disaster.

Although I understood why the original law was passed after Sandy Hook about the admission of psychiatric hospitals and loss of one’s gun permit, it makes absolutely no sense to apply this to law enforcement and they should be exempted from it. As a seasoned behavioral health professional and someone experienced working with law enforcement we do not need another obstacle to prevent an officer in need seeking appropriate mental health services. Imagine this. Either a Manchester Police Officer dealing with HDI or a Newtown cop dealing with Sandy Hook, years after those events get admitted to a psychiatric hospital. They will lose their right to carry a gun for six months. We should want and encourage our officers to seek appropriate mental health services. We should encourage easy access to those services and we don’t need a barrier to prevent them from doing that and that's why I strongly implore you to support this Bill. Thank you.

REP. VERRENGIA (20TH): Thank you. Are there any questions? Representative Fusco.

REP. FUSCO (81ST): Thank you, Mr. Chair. Thank you for that testimony. So let's -- let's take a look at what I think we know and then perhaps ask a question about policy. So we have officers who need to go out of state to get this help if you will, right? Unbeknownst to their Chiefs, correct?

JIM VIADERO: Correct.
REP. FUSCO (81ST): So they're using vacation time, personal time, comp time, whatever that may be, correct?

JIM VIADERO: Correct.

REP. FUSCO (81ST): So if you bring that -- if we provide a vehicle for them to now get that treatment in state, which I believe we should they're still going to fall under the purview of language in the current statutes to, like you said, have to surrender your weapons because of that mental health treatment; is that correct?

JIM VIADERO: Correct. As a result it -- the facility has to report to the Department of Mental Health and then to the Department of Public Safety and weapons are removed from the officer.

JAMES RASCATI: Except alcohol is excluded from the current legislation, just to be clear.

REP. FUSCO (81ST): Under -- understood. So now let's talk about coming back to work and being released for duty. And we're saying that that decision is going to be made by the Chief, right? And sir, I know that you obviously are well qualified to determined whether or not an officer should return back to work, which is really the most important thing, right? The gun is kind of secondary sort to speak. But how do we -- what -- what the Chiefs going to use for support to be able to make those decisions?

JIM VIADERO: I believe the mechanism would be a Fitness for Duty Evaluation. Upon receiving notification from that officer's physician or treatment facility that he's fit for duty I would want an independent evaluation to make sure that in
fact that officer is fit to carry a firearm. So the mechanism would be an independent medical examination. I know the Bill last year talked about having independent sources to draw from that evaluation. That would be -- that would be a sound procedure there. You'd want an independent from the treatment physician or the treating facilities evaluation of that officer.

REP. FUSCO (81ST): Yeah, and I agree with that. Okay. Thank you for those answers, I appreciate it.

JIM VIADERO: You're welcome.

REP. FUSCO (81ST): Thank you, Mr. Chairman.

REP. VERRENGIA (2OTH): Representative Fishbein.

REP. FISHBEIN (90TH): Thank you, Mr. Chairman for the opportunity. Gentleman, so why would an officer go to Massachusetts if they needed mental health treatment?

JAMES RASCATI: So here's the reason why. Let's say an officer comes and presents with alcohol abuse. Now we can admit him or her in Connecticut because the current law doesn't apply to that. The problem is, my assessment may be primary diagnosis of alcoholism. I send him to YPI or IOL at Silver Hill and someone else says, well you know what? He's really primarily depressed and is self-medicating with alcohol. That automatically trips that law. That officer he/she will lose their right to carry a gun.

REP. FISHBEIN (90TH): So what law does it trip?

JIM RASCATI: The law that was enacted after Sandy Hook.
JIM VIADERO: At Sandy Hook, attributed to 13-3.

REP. FISHBEIN (90TH): Okay.

JIM VIADERO: For the mandatory -- for psychological reasons, not alcohol; there's a mandatory six-month loss of permit and right to carry a firearm.

REP. FISHBEIN (90TH): So this legislature determined that if there's a mental health issue --

JIM VIADERO: Correct.

REP. FISHBEIN (90TH): -- necessitating treatment for whether it be a police officer or one that is not a police officer --

JIM VIADERO: Correct.

REP. FISHBEIN (90TH): They should not have access to firearms. So to get around what the legislature deemed to be in good public policy, which I'm not saying whether or not I agree with that, officers will go out of state so they're able to keep access to their firearms; is that generally what I'm hearing?

JIM VIADERO: Correct. If -- they're -- they're not mandated to our Department of Mental Health and then subsequently Department of Public Safety if they're at an out-of-state facility. So in essence we would not know about it and in reality bringing it back to Connecticut we would want to know about it and we would want to have those control mechanisms in there ultimately looking out for that officer and for public safety.

JIM RASCATI: Right. There's no reciprocity between -- we got -- we send people to Brattleboro for treatment in Vermont or Moor worth in Pennsylvania.
So those facilities are not obligated to notify the Department of Public Safety that they were admitted there.

The issue really is though, the police officer earlier talked about the stigma issue. When officers are aware of this provision, although it's very specific, doesn't include alcohol; that increases their resistance to use any EAP services, even outpatients.

REP. FISHBEIN (90TH): No, I understand. But certainly and you know -- I mean for some reason this -- this Committee doesn't do gun bills but you know, officers are entitled to have procession, to purchase, transfer firearms that regular people are not. They are -- the legislature deemed them to be at a different level with regard to firearms, particularly with regard to assault weapons. So a police officer can go to a store in Connecticut today and purchase what is deemed to be an assault weapon. I cannot. However, on the mental health plane you're asking for that officer to be treated differently than me because my job is not tied to a firearm; is that -- I mean that's generally what this whittles down to.

JIM VIADERO: Correct. Not to -- do discount anybody else's profession but if an individual seeks that mental health treatment and it's an impatient facility, when they come out they lose the ability to own a firearm or possess a firearm if they have a permit; they don't lose their livelihood. So there's not that barrier for them to go get treatment. I think the ultimate goal of the legislation and what everybody is interested in is to make sure that people get treatment. So that
barrier is not there for a normal citizen but it is there for law enforcement officers and we are treating them differently I think than the normal citizen.

REP. FISHBEIN (90TH): So what about the armed guard? Does this legislation extend to the armed guard? That -- that other individual that is required to have a sidearm.

JIM VIADERO: No, no it does not. Cause I don't think -- I don't think there's a mechanism there to have that independent medical evaluation for an armed guard when they return back to duty. It's a private entity. So there's -- there's no mandate there. I think they would -- you know, I don't -- I don't know if there's a mechanism there. I don't -- I know the statute or this Bill does not call for that, doesn't take that into account.

REP. FISHBEIN (90TH): And that situation, that person would not be able to be employed?

JIM VIADERO: Correct, correct.

REP. FISHBEIN (90TH): Okay. I'm just trying to you know, maybe level the playing field here but I -- I look forward to work on this language. I just don't see us necessarily getting there. So thank you, Mr. Chairman.

JIM VIADERO: Thank you.

REP. VERRENGIA (20TH): Representative Hall.

REP. J. HALL (7TH): Thank you both for your testimony today and Chief, thank you for your service. Also, Doctor I want to thank you for your service. My husband was one of those SWAT members in Manchester so it was -- I remember getting the
call as a -- as a wife and not getting a lot of information at the time. I guess we just didn't know what his status was so very traumatic for the whole family. But thank you for -- for being there for them.

I think you really made it very clear and I think it's important to note that when we say that the Chiefs can clear our officers for duty, it's not the Chief clearing him for duty; it's our medical professionals that are doing the clearing for duty. Granted the Chief ultimately has that decision but I think it's -- it's extremely important to note that we have medical professionals making these decisions. We don't have our Chiefs who are obviously very capable individuals but not medical professionals. So can you talk a little bit about that process?

JIM VIADERO: Correct. You know as the Chief of Police you know; I would want an independent medical examination. I have to feel comfortable with the decision I'm going to make putting an officer back in the field with their firearm and are they a jeopardy to themselves or the public? So I'm going to seek a qualified medical professional that's independent, that's going to give me an independent evaluation of that individual. So I'll let Jim talk to the process on that.

JIM RASCOTI: Sure. So just to clarify. So the officer he/she who gets admitted to a facility, they may get a letter from the facility saying, Officer Smith is able to return to work. That's not sufficient because they were providing the treatment. To -- what -- what Chief Viadero is referring to, we do Fitness for Duty Evaluations.
As I said, we work with 58 police departments. So Chief Viadero -- Viadero, if this happened in his department the Chief makes the decision before he allows the officer to come back to work, to come for a Fitness for Duty Evaluation. It is -- it is objective. It's professionally done. My partner who does this is one of the few psychiatrists -- psychologists whose certified in Public Safety Psychology, so it's an objective evaluation so he's reassured that his officer, he/she is able and fit to return to duty.

REP. J. HALL (7TH): Thank you for that clarification. I think it's important to make because if the people think that the Chief is making that decision alone, and I know it's been said many times today but it's important to note. So thank you both for being here and thank you for your testimony.

JIM VIADERO: Thank you very much.

REP. VERRENGIA (2OTH): Representative Genga.

REP. GENGA (10TH): Thank you, Mr. Chairman. Thank you for your testimony. Chief, what's the current responsibility of a department chief if he determines with good cause that one of his officers does need help because of his psychological condition?

JIM VIADERO: You know there's a number of different layers there. You know we have mechanisms in place as far as peer support and employee assistance programs that they seek voluntarily. I think if it rises to the level of a chief, if there is articulable information that they're given, that that officer has an issue, that is a danger to
themselves or danger to the public, then we're removing them from duty and we're mandatorily sending them for a Fitness for Duty Evaluation and/or treatment. Those are the most severe cases. What we try -- what we're trying to do here is we're trying to urge officers to seek assistance. Go out there and get that treatment. Go out there and seek medical professionals or individuals that can help him without reaching that level where it gets to a chief, where they're mandatorily removed from duty and sent mandatorily for that evaluation and that treatment.

REP. Genga (10TH): Recently I -- last year found that there's a group that the situations you're describing, somebody committing suicide or some situation that's very traumatic for first responders; there's a group and I forget what their name is but they're provided free of charge to go and diffuse the situation and to work with those who may have difficulty psychologically. Do you have any experience with that group?

JIM VIADERO: It depends on who you're referring to. There's Cable, there's a group and it's called Cable. It's a group out there that provides peer support and services. There's a number of other individual entities out there. There's one in Manchester they just opened and I forgot the -- the name of that organization.

JIM RASCATI: Health and Wellness.

JIM VIADERO: Health and Wellness Center. There's a number of different agencies. In Newtown we access -- they get resource from New York NYPD. It was called Hearts 911. So there's a number of peer
support groups out there and groups that come out and can perform those services.

JIM RASCATI: So most police departments already have Employee Assistance Programs. That's typically part of their function and responsibility. So as I already indicated last weekend, when the Sergeant killed himself we responded there Saturday, Sunday and Monday. Two weeks ago there was an officer involved shooting fatality in Norwich. We responded there. I've already done two de-briefing. I was here last night and I was there the day it happened. So most -- most EAPs have the capability to respond immediately when there's a major critical incident.

REP. Genga (10TH): Okay. I'm trying to think of the name of the individual. I think it was Appleton who was head of one of these particular groups that --

JIM VIADERO: Not familiar with but one of the lessons we learned in Newtown and I walked in after the fact is, that if you don't have a service in place or you don't have these mechanisms in place before a critical incident occurs, you're way behind the curve and the officers and the public are going to suffer as a result of it. One of the positives that we've learned from there is that we've learned to do things better and look at officer wellness and take care of our officers mental health.

REP. Genga (10TH): Thank you.

REP. VERRENGIA (20TH): Thank you. Are there any other questions? Sure Representative Fusco.

REP. FUSCO (81ST): Thank you, Mr. Chairman. Just one more question. So what -- was there anything in place prior to the lang -- you know the language we
are under now which we have this House Bill 11-60 I believe was the gun bill which this legislation came out to cause people to have to turn in their firearms. Was there anything being done for officers prior to that in terms of mental health and wellness?

JIM VIADERO: Not to my knowledge. I'll have to research that further.

REP. FUSCO (81ST): Thank you, thank you.

JIM RASCATI: If an individual chief who had a concern about an officer could take that gun away from them and send them for counselling.

REP. FUSCO (81ST): Yeah, but I meant more specifically as you know, what we were doing to address you know, concerns that they had for their treatment.

JIM VIADERO: Yeah, there wasn't obligation by statute.

REP. FUSCO (81ST): Okay. But they could go back then, do what they had to do obviously, get the treatment and not lose their weapon and so forth?

JIM VIADERO: Correct, correct.

REP. FUSCO (81ST): Thank you.

REP. VERRENGIA (2OTH): Thank you. Any other questions? Seeing none, thank you very much for your testimony.

JIM VIADERO: Thank you.

JIM RASCATI: Thank you.

REP. VERRENGIA (2OTH): Up next Chief Malansen.
PAUL MALANSEN: Good afternoon Representative Verrengia and distinguished members of the Public Safety and Security Committee. My name is Paul Malansen. I'm the Chief of Police at the Farmington Police Department. I'm here to represent the Connecticut Police Chief's Association and also Police Officers Standards and Training Counsel of Connecticut and I'm here to talk about two Bills, 870 and 7242.

870 is AN ACT CONCERNING DRONE USE BY LAW ENFORCEMENT and we respectfully recommend the Committee take no action on this Bill. Placing restrictions on law enforcement agency's use of drones -- drones would stifle our ability to protect and serve. How can we turn a blind eye that would aid in hostage negotiations, bomb investigations, locating missing persons just to name a few? This Bill also only places restrictions solely on law enforcement but not regularly citizens. In 2017 an aerial media private corporation utilized drone technology to follow the Manchester Road Race from start to finish. This was -- this drone was used simply for enjoyment purposes without any thoughts to privacy rights. It makes no sense that insurance adjusters, realtors, children can utilize drones without restrictions but a law enforcement agency whose purpose is to protect and serve can only -- and can only use drones to that end, is only entitled to have -- the only ones entitled to have restrictions placed upon them.

The citizens trust in their police officers and police agencies is paramount. We gain that trust and creditability via proper policing. Naturally standards are in place when and where we cannot use drones. They are set by the Constitution as well as
court ruling -- court ruling and policies and we follow these guidelines.

Technology plays a paramount role in enhancing our daily lives. It has allowed us to progress immensely within society. Drone technology could have a tremendous effect in protecting the people we serve. They aid in protecting the public during large events, help in fighting against terrorism, locating missing persons, identifying criminal activity. What we are committed to ensuring standards are in place to protect privacy, we feel this should be part of the POST council and not be restricted in such a way as Bill 870. Again, the benefits we are looking for isn't for entertainment purposes are so many people are using drones for, but to protect and serve our community and follow through in our oaths that we took as officers. If any action is taken on this Bill we recommend a task force that examines our ever-changing technology and relates to the concerns for all people, not just law enforcement.

Also on that note, it would be beneficial and meaningful for the POST council to create a model policy based on the findings of the task force to direct how drones are utilized and to protect the public and officers.

And if I could just briefly speak about Bill 7242. And the -- with -- Bill 7242, I think there's one clarification that needs to be made in that Bill and that is -- and I've just before this meeting I spoke to Commissioner Robella and I've spoken to the parties who are supporting this Bill and they agree that what the intent of this Bill was and that is to delineate that they are POST certified officers that
comply with the training and then the ongoing training of POST certified officers if they are going to provide policing services at colleges, universities and on college campuses. So as part of the POST council we had a meeting and that was our -- we just wanted to make sure that it was clear that they fell under those -- under the authority of POST and all those regulations. I'd be happy to take any questions.

REP. VERRENGIA (20TH): Representative Vail.

REP. VAIL (52ND): Thank you, Mr. Chairman. Good afternoon.

PAUL MELANSON: Good afternoon, sir.

REP. VAIL (52ND): So let's get to Senate Bill 870. We've gone over drones since I've been here and back and forth. And you're opposed to this Bill. What -- in reading this, what's different in this Bill that we -- than we -- what we already have now that you find that would be adverse to doing your job? Which particular pieces?

PAUL MELANSON: So this Bill would require that we obtain search warrants. So I'll give you an example. An agency was in the northern part of the state was going to be serving an arrest warrant on an individual so they put a drone up above his property to see whether there were any dogs on the property before they entered the property, whether they were Pit Bulls because they had report of that. So when the law enforcement -- the SWAT team was able to go there they know what they would be running into as they approach this property.

So under this Bill we would only be able to use it in exigent circumstances. Manchester Road Race, I
spoke to a drone operation who told me during the Manchester Road Race they had a missing person. They got a description. They were able to fly the drone directly above the crowd and be able to help and assist in locating that person.

When somebody went down during the race they were able to identify exactly where that person was. So there -- there -- there's a whole host of uses that this Bill would then limit.

REP. VAIL (52ND): I remember in the past we've had conversations specifically on exigent circumstances, so what is the standard now. What -- what -- so you were able to use the drone to see if there were any dogs available and this would limit that, so there are no limitations for when you can use a drone now?

PAUL MELANSON: So right now we are -- right now it's the Fourth Amendment of people being secure in their property. So we cannot illegally search. So one of the ones brought up, I think it was last -- two years ago we brought up, well what's to keep you from flying into somebody's window and looking what they're doing on their computer? And the US Constitution and Court Case Law jurisprudence would not allow us to do that. Just like I cannot go into a locked vehicle and search it at a whim. You don't have a law saying that I can't do that but there's court case and the US Constitution prohibits it. So -- so we are allowed to fly the drone currently, basically as long as we're not violating somebody's US Constitutional rights.

REP. VAIL (52ND): What if you were just going to question somebody and you were concerned about dogs; would you be able to use a drone under that circumstance?
PAUL MELANSON: Yes.

REP. VAIL (52ND): And what if you use the drone and you were there to question them on you know, potential you know car burglary you know last week and you put the drone out there and they're -- and they're growing a pot plan in their backyard, would you be able to arrest the for that?

PAUL MELANSON: Well --

REP. VAIL (52ND): Would you be able to use that?

PAUL MELANSON: So procession of marijuana now is --

REP. VAIL (52ND): Is illegal.

PAUL MELANSON: But's a -- it's an infraction so not a criminal arrest. But yes, you would be able to use that drone, just like currently they use helicopters to look for cultivating fields.

REP. VAIL (52ND): Okay. And so again, I've always had concerns about that. Not that I have pot plants growing in my backyard [laughing] or anything to hide or anything like that but I believe in people's personal rights and civil liberties and if they you know; I've had concerns with that. I'm not even excited about exigent circumstances and I know we've had this con -- can you explain to me exactly what exigent circumstances would consist of please?

PAUL MELANSON: So exigent circumstances would be that somebody is going to be injured or evidence is going to be destroyed or a -- a criminal is fleeing felon, somebody is going -- going to get away. Those are basically the three exigencies.

REP. VAIL (52ND): And who would make that decision in the moment? Would it be the officer themselves?
PAUL MELANSON: Those officers make that decision every day, not based upon the drone.

REP. VAIL (52ND): Yes.

PAUL MELANSON: But based upon an ability to enter a car or enter a house, those sorts of things.

REP. VAIL (52ND): And then if they make that decision, does someone then look to see if there were indeed exigent circumstances involved in that situation?

PAUL MELANSON: Absolutely, absolutely.

REP. VAIL (52ND): And so if someone were to use exigent circumstances to go into someone's -- to fly a drone up onto the balcony to see what's going on the second floor and then it was determined that -- those probably weren't exigent circumstances and they kind of overreached, would all that -- would all that evidence and anything taken be admissible?

PAUL MELANSON: It would not be admissible.

REP. VAIL (52ND): Okay. I'd like to ask some questions from one of my Committee members had some questions for you I'd like to ask. He's not able to attend so. Does this Bill prevent law enforcement from utilizing a drone in a situation that might protect or promote public safety and can you give examples of what those might be?

PAUL MELANSON: Absolutely. So I brought up the Manchester Road Race, any public event. Everybody knows what happened at the Boston Marathon, to look for packages that are left behind and those sorts of things. But even just to maintain if you've ever been to a large gathering, it's not intelligence. People think, oh geez, they're gathering
intelligence. It's not that. What we're looking for is for a disturbance to occur so that we can properly utilize. Because we don't want an overwhelming force, right? So if there was a something was happening, a gathering and two sides were opposing each other, right? There may be a drone there just to say, look, they're getting really close to each other over in this point. We need to get some officers over there.

So rather than waiting until it gets out of hand and then we can't control it. So -- but there's there -- there are many, many times I think; and we're really again, there's so few agencies in Connecticut that have drones now, I think we're really just kind of really seeing what -- what they can do and that's the experience of the road race or the SWAT team about to serve a search warrant knowing whose going to be there, whose not. And so if kids are entering the house you're going to say, oh there are kids in there. That is something as a SWAT Commander you want to know, right? And you want to get out to the -- so there are a whole host cause then your tactics might be totally different. So -- so there -- there definitely are implications to this.

REP. VAIL (52ND): All right. Have there been any incidents where someone's privacy has been compromised by law enforcement through use of drones?

PAUL MELANSON: I've not heard of any in Connecticut or I get the information through the International Association of Chiefs of Police and I have not seen a case as such.
REP. VAIL (52ND): Okay. I just -- I have concerns about this. I always have. I certainly want to keep police officers safe. That's very important to me. I don't -- I'm sure Representative Fishbein could tell me the exact quote but I think it was Ben Franklin had some quote regarding public safety but not at the expense of our civil liberties and -- and I'm not a big fan of drones. I think there should be a warrant for required. I'm skeptical about exigent circumstances, never mind no criteria whatsoever so I'll sit back and listen to further comments and we'll go from there. Thank you.

PAUL MELANSON: And we would love to work with you. I think -- and part of my last part of my testimony was, if you remember last year we enabled POST council to promulgate policies that are required for police departments be it pursuits, citizen complaints, and at a minimum they have to comply with those policies and the state then makes sure the -- the police academy, the POST Officers Standards and Training Council ensures that they are actually complying with the policy. And so I think that we can come up with a policy that I think would work for everybody.

Because I do believe that police departments who have this should have a policy on it. When they can be used, where they can use, those sorts of things. And so I think that is one vehicle that -- that we might be able to work on with this Committee's assistance.

REP. VAIL (52ND): Okay. Thank you.

REP. PAOLILLO (97TH): Senator Winfield.
SENATOR WINFIELD (10TH): Thank you, Mr. Chair. Your testimony -- I came in a little bit late but it seemed to ask the question of why the police are treated differently than anyone using a drone? The police are different. They have the power to arrest. Do you not see that that makes sense?

PAUL MELANSON: You know we hold ourselves to a high standard. What I'm saying is that you would restrict our -- with this -- if this law was to pass, we would not be allowed to fly over properties or those sorts of things. I can go on Google right now and look at everybody's yards and that sort of thing, so we would restrict -- we would restrict law enforcement from doing that but a real estate agent could do that and then send it to us.

So other people would be able to do that. This -- what I'm saying was, it's carved out against law enforcement and I appreciate the fact that we should be held to a higher standard; there's no doubt about that. But we're restricting what law enforcement can do in the name of public safety but allowing other people to do it.

SENATOR WINFIELD (10TH): And you brought up the example of the Boston Marathon. How -- how does this prevent you from doing what you want to do? I mean it talks about, I guess you can say throwing out of evidence but that's on private property so how does this restrict you from doing what you want to do?

PAUL MELANSON: So if you imagine flying a drone, there's no way to keep it just above public property, right? And during the marathon and that sort of thing. So it's going to go from area to area to area. We would have to get permission from
every one of those houses that we flew over in that 26-mile route to -- to fly the drone, so that would be the --

SENATOR WINFIELD (10TH): Would you -- would you have to get permission or if you happen to fly over the house could you just not use the information if you didn't have permission from the home or a warrant?

PAUL MELANSON: According to this I believe we would have to get permission if we were able to identify who -- whose house it was.

SENATOR WINFIELD (10TH): I think you would need permission if you had evidence that was on the private property but that -- that does preclude you from flying it -- that doesn't preclude you from actually flying it over. I think it has the provision in the Bill that talks about what happens with that evidence that's fruit of that action.

PAUL MELANSON: Yeah, I -- I would have to look at that.

SENATOR WINFIELD (10TH): Okay. And so when -- how do you use the SWAT in non-exigent circumstances? Do you -- you brought up the SWAT, right? So how -- when is it used and non-exigent circumstances?

PAUL MELANSON: So I mean a SWAT team is used in various times but they're not used in exigent circumstances to serve search warrants and arrest warrants. And what do I mean by that? We don't use the exigent circumstances part of the law when most of the time when a SWAT goes in. So the individual who had the arrest warrant. It was assigned an arrest warrant from a judge which allows us to go. We don't utilize the exigent circumstances portion
of the law. Exigent circumstances would be we show up -- there's a shooting in a house.

SENATOR WINFIELD (10TH): Can we pause so I understand, cause I'm not a police officer. So you went to a judge to get a warrant and your concern is about having to go to a judge to get a warrant for the usage of the drone, right? So why does this slow you down at all?

PAUL MELANSON: So I'm not sure number one, how we would get a search warrant for a drone to be able to fly over somebody's property because to get a search warrant we have to identify the criminal activity that is afoot and the evidence we look to gain. Here it's more, and I'm talking about the SWAT and the circumstance I gave, it's more of an intelligence gathering, not an evidence gathering.

SENATOR WINFIELD (10TH): Do you -- I may have missed it. Do you mean that the SWAT team is gathering intelligence or are they delivering -- I'm missing -- I think I'm missing part of what you're saying? So what is the action the SWAT team is taking at that moment?

PAUL MELANSON: So they're serving an arrest warrant.

SENATOR WINFIELD (10TH): So they're not gathering intelligence at that moment?

PAUL MELANSON: Well, no they are gathering intelligence about whose there, where the vehicles are, where the exits are. In otherward, if somebody was going to flee. What's the best way to approach without being observed, you know?
SENATOR WINFIELD (10TH): You mean intelligence on the property itself and how they -- what may happen if they enter the property or -- or step onto the property?

PAUL MELANSON: Correct.

SENATOR WINFIELD (10TH): Okay. I thought you may have meant investigatory evidence of some -- some sort. So there was -- I was missing part.

PAUL MELANSON: That’s my fault, yeah.

SENATOR WINFIELD (10TH): And what -- so you're saying that this Bill precludes them from doing that because they don't have -- because what is not happening? Why -- why in that instance are they not able to do what they need to do and use the drone?

PAUL MELANSON: Because this Bill says that you wouldn't be able to under those circumstances.

SENATOR WINFIELD (10TH): The Bill talks about -- so under those circumstances -- let's say you operated outside of what the Bill suggests you should do and you had a drone. The police went in with the drone. What does the Bill then do? Things happen all the time. We've seen cases where police operate in ways that we don't necessarily love. What would happen at that point if this Bill were enacted?

PAUL MELANSON: So I don't understand the question.

SENATOR WINFIELD (10TH): So the police use the drone in the way the Bill suggests shouldn't be used? What happens? Because you're not -- you're not -- you're not using -- according to you you're not using a drone to gather evidence, you're using a drone to protect your safety. So what happens at that point under this Bill?
PAUL MELANSON: I didn't see a penalty under the Bill so I'm not sure.

SENATOR WINFIELD (10TH): And you're not gathering evidence that would be thrown out, right?

PAUL MELANSON: Correct.

SENATOR WINFIELD (10TH): Thank you.

REP. PAOLILLO (97TH): Representative Fishbein.

REP. FISHBEIN (90TH): Thank you, Mr. Chairman. Good afternoon, sir. You know I've been spending a lot of time looking at this language. Do you have a copy of the Bill in front of you?

PAUL MELANSON: I do.

REP. FISHBEIN (90TH): If we look at first of all line 26 where it talks about advanced written consent; and these are the exceptions. Thou shall not use a drone on private property unless one of these things happens, right?

PAUL MELANSON: Correct.

REP. FISHBEIN (90TH): That's -- that's this section. So who is advanced written consent? And I know you're -- you're arguing against the Bill, but who is advanced written consent supposed to be gained from in this exception; do you know? It says the individual. So I don't know if that's the property owner. I don't know if it's the subject of your investigation.

PAUL MELANSON: So I think they mean so under B and C, so B would be the individual. If we were following let's say with a drone an individual for some reason in otherward. They were -- they were suspected of criminal activity. Before that -- I
guess before you followed them you'd have to get his permission. Or if he was going to be in the drone video, you'd have to get his permission. Cause the next one does talk about the owner of the property whose the subject of the information. Then you would need to get their permission.

REP. FISHBEEIN (90TH): Okay. So I don't -- I don't see a value in having B? At least in a context of a criminal investigation. I don't see the alleged perpetrator you know, here sign on this -- you know sign this so we can use a drone to track you.

PAUL MELANSON: I mean -- I mean we could go line -- but that's exactly -- that's -- that's the issue we run into with that one. Like we would have to say, hey can I have you know somebody's a suspect of committing rapes in the middle of the night and they live in a certain household and so we're on the street and we watch them leave their house and we follow them and they break into somebody's house in the middle of the night. Well before I followed him like that I would need his permission to say hey, I want to follow you tonight because we think you're committing, you know nighttime sexual assaults. I'm not sure.

SENATOR WINFIELD (10TH): So B --

PAUL MELANSON: That's the way I read it.

SENATOR WINFIELD (10TH): Yeah. I just -- I didn't know if you saw any -- because we're dealing with exceptions and your ability to use a drone whether you as an officer in the field saw any value to B cause I can't see any and I just, you know.

So the information gathering aspect of this. You know when you -- your exchange with Senator
Winfield, you know SWAT is serving an arrest warrant. First of all you're saying that a drone would not be used or not be able to be used in that situation, correct?

PAUL MELANSON: Under this -- if this Bill were to pass, correct.

REP. FISHBEIN (90TH): Okay. But presently they can use that?

PAUL MELANSON: Correct.

REP. FISHBEIN (90TH): And presently the information that's gathered as a result of that drone, let's say in the instance of the arrest warrant -- well it's immaterial whether or not the arrest warrant is ever effectuated. The information as to what other vehicles are on the property. What other persons are potentially on the property? Where does that information go?

PAUL MELANSON: So currently, and that's why I made the mention of the Police Officers Standard and Training Council promulgating a minimum standards policy cause currently that would rest with each police department having a policy on their drone program.

REP. FISHBEIN (90TH): So presently there is no direction with regard to retention of that information?

PAUL MELANSON: They would probably currently follow the FOI Standards or the records retention standards put on by the state.

REP. FISHBEIN (90TH): Which is seven years?

PAUL MELANSON: Which is seven years.
REP. FISHBEIN (90TH): And --

PAUL MELANSON: But there's exceptions to that, right?

REP. FISHBEIN (90TH): Great.

PAUL MELANSON: So I think generally it's seven years. You know after that it's deleted, but there are -- there are exceptions where you can delete it even sooner.

REP. FISHBEIN (90TH): Okay. Well I -- I have knowledge of the LPR situation you know? License plate readers. And I know that POST has given no guidance to the towns with regard to retention on that. You would think that would be of -- you would be in support of POST coming up with some sort of regulation regarding retention of information gained through drones; is that -- is that what I'm hearing?

PAUL MELANSON: Correct.

REP. FISHBEIN (90TH): Okay. Now you said that presently -- or if this -- this language would to pass that you would have to have a warrant to utilize the drone on private property; is that your position?

PAUL MELANSON: Unless you had consent under one of these exceptions.

REP. FISHBEIN (90TH): Okay. So let's look at line 30 and I'll just read it for you know, people that are following along. Law enforce -- and this is -- these are the exceptions. The law enforcement officer has probable cause to believe that a criminal offense has been, is being, or will be committed and exigent circumstances exist to make it unreasonable for the law enforcement to obtain a
warrant authorizing the use of an unmanned aerial vehicle. So it appears to me based upon that language if this was to pass, that if you have reason to believe that a crime had been committed, was being committed or will be committed, so perspective; you would have that ability to have a drone enter private property. Isn't that what it says?

PAUL MELANSON: So the one caveat that to that though it says, and exigent circumstances exist.

REP. FISHBEIN (90TH): Which is subjective.

PAUL MELANSON: Well we have pretty good case law on what exigent circumstances are -- what they are. I mean officers -- again, like I said before officers use -- have to interpret the exigent circumstances and then are either corrected or supported by the courts every day in this state. So it's not a -- so it's not a very subjective, oh, I'm going to say that's exigent circumstances because you would have to prove that to the court, that exigent circumstances existed.

REP. FISHBEIN (90TH): Well it's -- it's exigent circumstances exist and make it unreasonable. So they're sort of like tied together. So in the case of an arrest warrant you have filed paperwork signed by a judge that offers that you have probable cause that a crime has been committed, correct? Yes?

PAUL MELANSON: Correct.

REP. FISHBEIN (90TH): Okay. And then the judge authorizes you to go get a person, right? So wouldn't that be the section of this B that says that a criminal offense has been committed? Would be a condition present to getting an arrest warrant,
right? And then if we go on it would be unreasonable for you to then get a warrant to get the drone or you can even ask for it in your arrest warrant, right? So wouldn't you be --

PAUL MELANSON: No, you would have to get a search warrant I would assume by this. But again, and I think the Chief States Attorney can talk to this. I'm not sure how we get a search warrant to utilize a drone again for surveillance purposes. Cause usually a search warrant -- not usually, a search warrant requires a place to be searched, which we could articulate, right? If we were going to -- if we were going to say it was A, B, C, 1, 2, 3 Main Street we could articulate a property that the crime is being committed. So under an arrest warrant, we have an arrest warrant to arrest this individual but it doesn't mean that he is currently committing a crime.

And then the evidence that is connected to that, that we are going to find at this property --

REP. FISHBEIN (90TH): No, under -- understood. But at that point you want to be able to utilize a drone to see what vehicles are at the property, which is not -- you don't need to enter the physical house to search it to ascertain that, right? And you want to perhaps see whether or not there's an area for a dog you know that's -- that's outside, right? All of that stuff is -- is open, right? Cause you have the ability to look at a car, the outside without a warrant, right? You don't necessarily have the ability to -- well in some cases you do have the ability to look in the windows but we don't need to go there. I don't know why you wouldn't just in your arrest warrant ask for or perhaps there's a
procedure that we could put in place that would allow for you to get permission upon reasonable belief that there may be a dog there if one is to believe that this language doesn't -- doesn't get there.

You know, so it seems like a work in progress. But looking at line 37 into 38. You can use a drone on property that is owned or leased by the US State of Connecticut or a municipality, right? That's an exception, so long as it does not occur in an area that is substantially populated. What does that mean?

PAUL MELANSON: So what they're talking about in this paragraph and understand I had no part in making this.

REP. FISHBEIN (90TH): Understood.

PAUL MELANSON: But -- but in reading this, what it is obviously they need to train in the flying of the drones and so they're saying that that's where that you can fly your training flights would be in that area. That -- that's the way I read that -- that paragraph.

REP. FISHBEIN (90TH): It certainly doesn't say in the training in the use of drones. It's training in general. I -- I guess that could be the drone is doing aerials as to field maneuvers or something like that. Some sort of tactical training; this would allow for that, right?

PAUL MELANSON: Yeah, I read it to say that pursuant to training activities conducted by the law enforcement officer while on property owned or leased by the United States and it doesn't occur in substantially populated areas. So I read that to
say that basically when we were -- when we're training with our drones and flying them and maneuvering them that we wouldn't need -- that that would be one of the exceptions as long as it was on state or federal property and it's not in a very populated area.

REP. FISHBEIN (90TH): Yeah, I just don't know what substantially populated means.

PAUL MELANSON: Yeah, I --

REP. FISHBEIN (90TH): Then I think the last -- and it seems like we're sort of on the same plane here. Line 43, previous sections do not apply to any property or loaned, not listed to a public park. So, how do you read that language? So you would -- considering that we're in the exception section, you can't accept public park area. Is that --

PAUL MELANSON: So -- so in that because its changed under line 41 to number 2 I think now we're out of the exceptions portion and I'm saying that -- that now it's not an exception, that basically you could fly it on property owned or leased by federal or state or municipal governments be it a public park, sidewalk or street.

REP. FISHBEIN (90TH): Yeah, I'm just following along because it appears that 2 actually might be misplaced because there's apareon 2 -- in section 1, right? So if we look on the first page there's already apareon 2.

PAUL MELANSON: So if you go under number 19 there's a small b number 1 and then it lists the exceptions as A, B, C, D, E, F and then I think that that's where that second 1 on line 41 comes in.
REP. FISHBEIN (90TH): Well it's a number 2. It just doesn't tie up unless I'm reading it incorrectly. Anyway, well thank you for the -- the exchange and the info -- oh wait, I just had -- we dealt with retention. Okay. And we dealt with POST. Okay. Thank you, thank you Mr. Chairman.

REP. VERRENGIA (2OTH): Representative Vail.

REP. VAIL (52ND): Thank you, Mr. Chairman for the second time. I just had one more question. If -- even with -- if these new guidelines were put into place and you had a warrant or exigent circumstances to search someone's property you know, and you flew the drone into their backyard to check it for safety and in the process, can you look at the neighbor's backyard and if you see something in that backyard would they be subject to -- to whatever was going on there? Even if it was unrelated to what you were doing? Again, you observe something, whatever it may be, would you be able to use that even with these new regulations? Would that be your interpretation?

PAUL MELANSON: That's a good question. So they were not a subject of the -- right?

REP. VAIL (52ND): Yes.

PAUL MELANSON: They weren't a subject of it, right? So I would say the answer is yes.

REP. VAIL (52ND): Yes?

PAUL MELANSON: That -- that they could be used.

REP. VAIL (52ND): They could be used even if they weren't the subject of the investigation, you saw something unrelated --
PAUL MELANSON: Because if we thought they were the subject we would need their consent or whatever.

REP. VAIL (52ND): I understand. Okay. All right. Thank you.

REP. VERRENGIA (20TH): Okay, thank you. Are there any other questions? Seeing none, Chief, thank you for your testimony.

PAUL MELANSON: Thank you very much.

REP. VERRENGIA (20TH): Next up is David McGuire.

DAVID MCGUIRE: Good afternoon Representative Verrengia, Representative Paolillo and members of the Committee. My name is David McGuire, executive director of the American Civil Liberties Union of Connecticut (ACLU-CT). I am here today to support of House -- Senate Bill 870, AN ACT CONCERNING THE USE OF DRONES BY LAW ENFORCEMENT. I've submitted five pages of testimony and rather than go through that I'm going to address some of the -- the scenarios that Chief Malenson brought up and talk about why I think this is a reasonable and balanced Bill.

Chief Melanson talked about delivering that search warrant the -- where they believe there's a dangerous dog perhaps. I respectfully don't think there needs to be a change in the statute because when they apply for that search warrant or arrest warrant, they can say that they have reasonable suspicion that there is in fact a dangerous situation and as such, they need to have that for their own surveillance. So I think that is already able to happen at the Superior Court and does for other uses like the SWAT team. So maybe not for
drones yet but 18 departments do have drones already so this may have already actually occurred.

The other piece that he spoke about was the Google maps for example. That the public has access to that. That is a static, static map. I mean it's very different than the drones that we're talking about here today. And you know we have to -- we have to make sure that the legislature gives police some guidance on this. I mean it is absolutely appropriate and really necessary for the legislature to step in. We started this discussion back in 2012 and since then PRI has -- has come out with a report saying they believe there should be a probable cause warrant standard with exigent circumstance exceptions and the legislature has debated this vigorously over the past seven years.

Bills similar to this passed the Senate unanimously one year and the House unanimously another year, so this is -- this is something that's been hashed over many times. We in fact this you should expand on this proposal and not limit it just to drones, although we do think the legal standards for drones should be set out in this -- in this law. We believe there needs to be a restoration of democratic control when police bring on advanced surveillance technology.

We've been hyper focused at the ACLU and the legislature has too on drones; this is a very visible obvious technology. But really there is a massive expansion of police surveillance and what we think should happen is before departments bring these technologies on, they have a public hearing where the Chief, just like Chief Melanson did, to
explain why they need them and get approval from the town body.

This Bill has some reporting on drones. We think that reporting will go a long way showing the public that they're in fact being used appropriately and safely. Hartford is a really good example of where that's kind of gone wrong. And Hartford in the last year the -- the city has contracted two $100,000 drones. That was done with no formal public input and the town -- the city counsel of Hartford got that grant and that proposal on their desk just hours before it was voted on. That does not instill confidence in the public. And again, we believe that the legal standard set forward here are reasonable and ultimately when the Supreme Court weighs in on it, which could take years, will probably come to the same conclusion.

So I'm happy to answer any questions about the language or my testimony. Thank you.

REP. VERRENGIA (20TH): Any questions? Representative Vail.

REP. VAIL (52ND): Thank you, Mr. Chairman. Good afternoon, David.

DAVID MCGUIRE: Good afternoon.

REP. VAIL (52ND): So obviously you said you are in support of Senate Bill 870. I have concerns about some of this stuff that we leave the door open a little too much here. Do you have any opinion on exigent circumstances and how they're applied?

DAVID MCGUIRE: Sure. I mean they're -- like Chief Melanson said there is evolving legal standard on that and it's pretty well set out. It is important
that police do have that safety valve. So the Road Race that he spoke of; if for example there is a lost child report, that is clearly an exigent circumstance where they don't have time to go to court and get a warrant. This Bill as drafted would allow for that.

What we don't think should happen is that there is routine surveillance of you know, a parade or a race like that where there's no reason to believe that there will be a disturbance because that is in fact a First Amendment issue. It will shield people's political speech, whether it be a rally, a gun rights rally or a gun safety rally. Those drones flying overhead have a real, a real presence.

In terms of the exigent circumstance requirement for a crime that's happening, I think it was Representative Fishbein that outlined this goes very broadly, the crimes that they think will be committed, have been or are being committed and if they don't have the time to get to court; for example it's a dangerous suspect that they believe has a gun or it's the type of evidence that if they don't get it now it will be lost. With this case law outlines all of that so I'm comfortable with the -- the exigent circumstance in here as long as its complied with by -- by law enforcement. The reality is, the States Attorney and the public in general has a real interest in making sure that there are clear standards so that when police do seize evidence of a crime, it is not challenged and rejected in court. Because if it's obtained illegally and it's not an exigent circumstance for example or they do something with a drone they're not allowed to, that will be challenged by a
competent criminal defense and could undo a case so there's a real need to put this in place.

REP. VAIL (52ND): Okay. And so let's say they got a warrant and they asked for the drone ahead of time knowing there's potential for dog there and they fly the drone around and they see something on a neighbor's property; do you have any issue with them being able to use that?

DAVID MCGUIRE: Yeah. So that -- that's a really tricky one. And this is not a straightforward area. I think in that case there can be a -- a balance struck and it depends on what's happening. If they see a crime being perpetrated in the visual of that drone next -- next door to the place that they have the warrant for, of course they should be able to act on that. What we want to prevent is the police going on a -- a zig-zag route to get to that house and purposefully going over backyards at low levels or peering into windows.

And the thing about drones, Chief made it sound like we have very subtle law on this. We really don't. We have law from the 1980s that has to do with airplanes and helicopters which are nothing like drones. Drones can go low, close, they're in some cases silent. They're being operated now with audio surveillance technology. So to your point, it really depends on the case. I think that we could work with interested parties and find that balance but we really need to safeguard against that abusive use where they go in the zig-zag pattern like I mentioned.

REP. VAIL (52ND): Okay. I certainly have concerns with big brother always being overhead. So have there been -- are you aware of any situations where
police had used the drone and -- and any of these things happen that we may be concerned about in Connecticut?

DAVID MCGUIRE: Sure. So the answer is no, because there's no transparency around this. Please don't report on it. This Bill would have them -- if passing the law would require an annual report. When did they use them, was there an exigent circumstance, was there an arrest? And let the public know, are these being overused? And so your concern about exigent circumstances, if they dispatch a drone 50 times and 49 of them are because of exigent circumstances it's probably time to revisit the law or talk with that police chief about what they're determining an exigent circumstance is. But no, we don't know because we know there are 18 departments that have them based on public news accounts. The number is probably higher.

And these are not Radio Shak drones. Like I talked about, these are two $100,000 drones that have extreme capabilities. One of them could potentially be outfitted with a tether made and stay up in the air indefinitely without battery limits. So this is a technology that we've really fallen behind on regulating. A great deal of states across the country have already done this. We were a leader when we started the conversation but now we're training behind.

REP. VAIL (52ND): Okay, thank you.

DAVID MCGUIRE: Thank you for the questions.

REP. VERRENGIA (20TH): Okay. Any other questions? Seeing none, thank you.

DAVID MCGUIRE: Thank you.

MARCUS SPINNER: Good afternoon members of the Public Safety Committee. My name is Marcus Spinner. I'm a lead mental health assistant at Warning Forensic Hospital and a student at the Yukon School of Social Work with concentration in policy. I'm here to testify in support of House Bill 5154, AN ACT CONCERNING MENTAL HEALTH CARE AND WELLNESS TRAINING AND SUICIDE PREVENTION FOR POLICE OFFICERS, particularly lines 15 through 26 regarding meeting with a licensed therapist prior to receiving your service weapon.

I'm also primarily here to speak out vehemently against House Bill 7146, AN ACT CONCERNING INTIMIDATION ON ACCOUNT OF OCCUPATION AS A PUBLIC SAFETY EMPLOYEE. I came here with a testimony written out though it would take roughly 30 or 3 minutes or what have you. It's really clear. You've been well-educated on the circumstances that police officers go through and I think there's some consensus that there needs to be some reform on both sides of the aisle in regards to how we take care of the mental health of police officers.

But I can't -- sitting before you today I can't speak more strongly at how offensive the notion that your occupation is comparable to my status as a black person in this country. The idea that we would elevate an occupation to a protected class makes a comparison that your job is equitable to being born a marginalized person in this country. And I think that if more people knew that that this kind of legislation was being written and moved through committees, I mean this isn't the most
accessible medium. You have to stay here for three hours in order to speak to folks. I think that if people knew that this kind of legislation was being written, they would have a very different opinion about how all this works.

And so I -- I completely scrap the rest of my testimony. I came here just really -- I waited three hours basically to tell you that I'm offended. I'm offended at the notion that you would think that someone's job should put them in a protected class when we have people who have been targeted, who have been hung, who have been subjected to medical tests, who have gone through centuries of oppression just due to the circumstances of their birth and yet you're going to -- you're going to put someone in that same class because they chose a profession that is dangerous. That's just offensive and that's -- that's all I have to say. Thank you.

REP. VERRENGIA (20TH): And I want to thank you for your testimony and staying here for three hours. I couldn't agree with you more. There's times where I think there's got to be a better process. I can't imagine you know, waiting three and sometimes even longer people wait to come and -- and express their feelings and their concerns so hopefully in the future that -- that will be improved upon, but thank you. Are there any comments? Representative Fishbein.

REP. FISHBEIN (90TH): Thank you, Mr. Chairman. Good afternoon, sir. You know, I -- I'm very happy that you waited three hours to testify, well not the time but that you're here because the point that you bring up today are you know, one of the points that I've brought up since I've sat on this Committee,
that nobody should be intimidated, nobody should be
harassed merely because of their employment, you
know. Police dogs shouldn't be treated differently
than my dog you know and stuff like that. So I
thank you for expressing your belief that I believe
and -- cause I know I'm not the one voice in the
wilderness and you know that's all I wanted to say
by way of comment, so thank you.

MARCUS SPINNER: Thank you.

REP. FISHBEIN (90TH): Thank you, Mr. Chairman.

REP. VERRENGIA (20TH): Any other comments? Seeing
none, thank you for your testimony.

MARCUS SPINNER: Thank you.

REP. VERRENGIA (20TH): Brian Anderson.

BRIAN ANDERSON: Good afternoon Chairman Verrengia,
members of the Public Safety Committee. I'm Brian
Anderson and a lobbyist for ABSME Council 4 which
among other work represents 2,000 police officers
and 5,000 correction employees. I'm here to speak
in favor of two Bills. House Bill 5154, AN ACT
CONCERNING MENTAL HEALTHCARE AND WELLNESS TRAINING
AND SUICIDE PREVENTION FOR POLICE OFFICERS, and in
support of House Bill 7146, AN ACT CONCERNING
INTIMIDATION ON ACCOUNT OF OCCUPATION AS A PUBLIC
SAFETY EMPLOYEE.

I know you've heard a lot of testimony today on
House Bill 5154 so I'll be brief. We appreciate
that you folks have put this Bill up and we urge
that it be amended with language that's been
discussed a lot today about allowing a police
officer after getting mental health treatments, get
their service weapon back so that they don't lose
their profession. I would hope that there's pretty broad agreement on that.

I know that House Bill 7146 is a newer concept and I -- I listened to the young man who just spoke very sincerely and I totally understand the message he was putting across but I would urge that's not the intent at all; to compare occupations to intrinsic traits. What it is about is a new concept that's been around that your occupation potentially could cause people to attack you.

Just briefly Frederick Lawrence, Leading Crime Scholar Yale Visiting Professor has said, police officers should be protected hate crime statutes. Professor Lawrence has said that hate crimes are if members of a group are attacked for what they are, not for who they are. And hate crimes basically a community statement of support for a group that has suffered an attack.

Recent attacks across the nation on police officers are evident. The National Law Enforcement Officer's Memorial Fund reported that in 2016 the murder of police officers rose sharply. This organization reported that 64 officers were killed by firearms, a 56 percent increase over 2015. These shooting deaths included 21 deaths and ambush style shootings, the highest total in more than two decades.

Looking at hate crimes through an occupational focus is new. Likely in other countries, this sort of protection might be directed toward a journal, union organizers and human rights or civil rights workers. They are regularly attacked in much of the world for what they are, not for who they are. Not that anybody has had a particular beef with them; but
simply because the role in the society the occupation we fill.

I'll just summarize that this Southern Poverty Leadership Conference reported in February 15, 2017 in its magazine that police officers were murdered in a wave of extremist violence during 2016. We saw five officers killed in Dallas, three in Baton Rouge, two in New York City. So I think this Bill is warranted. I think it makes sense. I'd be happy to answer any questions.

REP. VERRENGIA (20TH): Thank you. Any questions? Representative Fishbein.

REP. FISHBEIN (90TH): Thank you, Mr. Chairman. Good afternoon, sir.

BRIAN ANDERSON: Good afternoon.

REP. FISHBEIN (90TH): So I'm looking at this language and the definition of public safety employee, this protected class. Would an animal control officer fall within that? You know, somebody perhaps took a dog away from somebody because they're abusing the dog or at least thinks they're abusing the dog. Would an animal control officer be protected by this?

BRIAN ANDERSON: I don't have the statutory definitions in front of me so I don't know.

REP. FISHBEIN (90TH): Okay. Well, in your support of this Bill would you be in support of an animal control officer being included in here.

BRIAN ANDERSON: I would have no problem with that.

REP. FISHBEIN (90TH): And what about somebody who is an armed security guard? Would -- would you have
them -- you know we have Seguridad puts armed security guards in our nuclear power plants. Should they be part of this Bill also?

BRIAN ANDERSON: I don't think at the moment I'm aware of evidence that they should be yet. I think if I could -- I think my union would be supportive if we experienced this group being attacked because of their occupation. Not because of who they are. Not because they angered a particular individual for a particular action, but if someone decided hey, we -- we should start committing terrorism against this group of workers, I think my union would be sympathetic to any group of workers that was being attacked for what they are, not who they are.

REP. FISHBEIN (90TH): So your support of this Bill is -- is larger than what this Bill is? So let's take you know clergy. Some people are against priests of Catholic church because of allegations against them. Would you have them be protected by something like this that you couldn't intimidate, harass, those kinds of things?

BRIAN ANDERSON: I think if there is evidence of a group being attacked and that group happened to be clergy then I think it would be well worth the General Assembly's time to consider passing such a protection.

REP. FISHBEIN (90TH): Okay. So would you -- you know just to get to the punchline; am I to gleam from your testimony here today that you would be in support of this language saying anybody who is threatened, harassed, intimidated merely based upon their occupation is a protected class; would you be in support of that?
BRIAN ANDERSON: I'd -- I'd -- I'd have to think about that. That seems particularly broad, almost to a point of being too broad.

REP. FISHBEIN (90TH): Well -- and that's what I'm trying to ascertain. Where is the line. Because the -- the Bill that we have before us just deals with certain people in public safety. It certainly doesn't deal with the animal control officer. It doesn't deal with the armed security guard. It doesn't deal with the clergy and you know, it appears that you'd be in favor of those things so -- so what occupation would you, you know, would you not include here?

BRIAN ANDERSON: I think occupations where people aren't being murdered for the occupation they're involved in. I -- I think I sited some pretty clear evidence and I'll repeat it. That the National Law Enforcement Officers Memorial Fund found that 64 officers were killed by firearms in 2015. I think with the Southern Poverty Leadership Conference which tracks a lot of extremist violence finding that police officers were murdered, in their words the wave of extremist violence during 2016; I think if you have a group like that that is not a small factor. I think that is a bright glaring factor.

REP. FISHBEIN (90TH): And certainly they -- those acts are illegal presently and are prosecutable as crimes and I'm just trying to ascertain where the line is. Because like for instance I was coming out of a gym a few years ago and somebody attacked me because I'm a lawyer you know. Should that be a hate crime? Or let's -- you know, people get mad at legislators. Should we be protected by legislation
like this? I'm just trying to -- you know, where is that line?

BRIAN ANDERSON: I think it goes, Representative to what the definition of a hate crime law is.

REP. FISHBEIN (90TH): Well that's [crosstalk].

BRIAN ANDERSON: And if I can finish.

REP. FISHBEIN (90TH): Sure.

BRIAN ANDERSON: It's a community statement or support for a group that's been attacked. If suddenly -- usually what my understanding is when people attack lawyers it's because they're mad at that lawyer cause that lawyer you know was involved in their divorce case or their domestic case. I don't think it normally happens just because people are lawyers, though I'm sure it could happen. Yet what we clearly see here, the evidence I present is, these folks weren't killing an officer cause they gave them a traffic ticket or arrested them in a domestic dispute. They chose these officers because they wore the uniform. They're officers. And when you have a high enough number of these cases I think it warrants a law like this.

REP. FISHBEIN (90TH): And certainly if we look back in history, we look back to Shakespeare, one of the very first intimidations about occupation Shakespeare said, the first thing we do is we kill all the lawyers.

BRIAN ANDERSON: Dick, the butcher, if I remember.

REP. FISHBEIN (90TH): Well -- and that in effect had nothing to do with being represented by a lawyer. That was a blanket statement against a group of people for their occupation.
BRIAN ANDERSON: It's true. By a character in a play.

REP. FISHBEIN (90TH): Sure. It had to be written. So I'm just very concerned with creating protective classes. I would have no objection to you know, nobody should be intimidated or harassed merely on their occupation. I agree there but you know, when somebody says I have a choice of intimidating two individuals and I'm going to pick the one who's not the protected class, somebody is being harmed by that so. Thank you, Mr. Chairman.


REP. VAIL (52ND): Thank you, Mr. Chairman. Good afternoon.

BRIAN ANDERSON: Good afternoon.

REP. VAIL (52ND): You know, as you know my background as a former correction officer and I certainly you know out in public was recognized for what I do and 99 percent of the time it was always cordial but there were a certain group of people that despised me for my career and you know maybe tried to confront me you know if I'm eating with my family or stuff. So did I ever personally experience some? A little bit, but nothing I would have you know, wasn't too worried about or what I couldn't handle. But I certainly see the need for this. I think especially in this day and age it would be -- it's tough to -- to even get people that would want to go into this profession now.

And a lot of the reasons why and the criticisms might be rightfully so. There are some bad actors out there but you can't punish a whole -- a whole
group for that. And I think there is a target on their back and you mentioned some of those instances in New York and Texas and so forth. And I don't think it's so much that they need to be a protected class it's just that their career is a tough career as it is and they need certain protections to keep them safe you know for their family and for themselves. So you know, I had a question when I started but I started talking too much so I forgot what it was. But -- so I'll just leave it at that. Thank you. [Laughing]

REP. VERRENGIA (20TH): Thank you. Representative Genga.

REP. GENGA (10TH): Thank you, Mr. Chairman. I was looking at this particular Act and the word occupation and when I looked at this and how do we distinguish it brought me back to some of my other experiences. And I'll ask you -- cause we're talking here about police, fire, EMTs, correction officers, paramedics and I've dealt with that many years on a local level. Do you think they should be held to a higher standard? Those individuals, those occupations?

BRIAN ANDERSON: I would argue they are held to a higher standard.

REP. GENGA (10TH): That's my thing. The second thing is, they're defined as hazardous duty and that's part of what I see here with the occupation. And I'll give you an example. When I first came here there were two secretaries who came before the Labor Committee and wanted to be put into hazardous duty. I said that doesn't make sense. When they came in and explained to us why these particular two had to go in hearing rooms where there was the
individuals who were being tried specifically -- when in a corrections department, tried specifically with -- they had to do transcriptions. And in one case both of them had been attacked, spit on and had to receive because the individuals had HIV, had to go through a process of the medical procedures for safety reasons. And based on that, we classified them that and they -- and so the legislature put them in that category because they were.

And as I think about that versus some of these other occupations I say okay, I understand that. There are other -- I've done sports officiating and anybody who has ever done sports officiating you know that as you work there -- my experiences where the most dangerous ones were with little league when you're doing volunteer work. But that doesn't hold that people to higher standards like public safety people, and that's where I see the distinction and that's where I think you're trying to go. And I think that's basically what this -- this Bill is trying to do. Thank you.

BRIAN ANDERSON: Thanks.

REP. VERRENGIA (20TH): Thank you. Are there any other questions? Seeing none, this concludes our sign-up list. Is there anyone in the room who hasn't signed up and would like to speak? Seeing none, oh, sir step right up. Just identify yourself for the record, please.

BILL ACKLEY: Good afternoon, my name is Bill Ackley A-C-K-L-E-Y and I come in support of HB 7146. I'd like to thank you for this opportunity. I did sign up. I must have fallen off the list so, my name is Bill Ackley. I'm currently a Fairfield resident. I was born and raised in Fairfield and I currently
reside there with my wife and three kids. I've been in emergency medical services for 38 years. I began in the early 80s in the city of Bridgeport. I worked from the 80s into the 90s in the city of New York in Spanish and Central Harlem, also with the town of Stratford as a volunteer. The last 19 years I've worked back here in Connecticut in a large urban area where I hold the rank of an EMS Captain and Paramedic. I also chair two state -- well one state committee under the EMS Advisory Board for Emergency Preparedness and the Region One Special Ops Committee.

The focus primarily of those committees are preparedness for emergency medical services and integration with other public safety agencies. Primarily our work over the last several years has been dealing with active shooter, hostile events and training in tactically emergency casualty care for integrated response. We now find ourselves in a time where we actually have EMS and fire service providers that have to learn how to use ballistic protection and learn how to work in what we call warm zones to provide lifesaving care to victims of active violence and active shooter events.

So things have changed since I started in this business and things have changed dramatically. During my time in EMS I've had many times where I've been assaulted. I have a whole year of Christmas pictures with a fat lip and a black eye from being assaulted by a patient. I was knocked unconscious in an alley and dragged by several people when I worked in Bridgeport and woke up in Park City Hospital. I've been bitten through the skin by a patient and had numerous times of other physical threats of violence. So the world in that we work
in is much different than how I imagined it as a 17-year-old getting my EMT certification.

To add to this, the way things have changed with social media and the tempo and temperament of public trust employees has added a new dimension to the way that we work. In EMG we're healthcare providers so we're supposed to be providing care for people no matter you know, race, creed, color, whatever their predicament. It doesn't matter whether they're the perpetrator or the victim, we're there to provide our services and lifesaving care when possible. Often times though we become a focus and the focus is not necessarily because of our actions but because of how we appear or who we appear with. So merely putting on a uniform with or without a badge, having a state patch on our shoulder, pulling up and walking in with a police officer or fire department makes a target. We haven't done anything else. We went to work that day. We put on our uniform. We got a call. We got dispatched to a call. We proceeded to the call and as we entered the area we become a target. It's not fair to us. It's not fair to anybody, occupation or not, it's not fair to anybody to become a target just for an appearance or an action. So that's why I sit here and speak in favor of this Bill as a level of protection for EMS providers, fire service providers as well as our colleagues in law enforcement and corrections to help protect us and protect our families.

You know one of the other things as a public trust employee and as a state EMS instructor and a paramedic, all of my information is out on the internet to grab. Anybody can go on Google right now, find out my home address, where I live and then find out where my kids go to school, look at my
social media and such. We deserve to be protected from those types of things, from people that may perceive us as being an opposing force. So with that, I thank you very much, thank you for the opportunity and will answer any questions.

REP. VERRENGIA (2OTH): Thank you for your testimony. Are there any questions? No. All right, thank you very much. All right. This concludes our public hearing. Thank you.